

**Before the Proposed Waitomo District Plan Hearing Panel**

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Under the Resource Management Act 1991 (the Act)

In the matter of the Proposed Waitomo District Plan –  
**Tranche 2 Hearing Topics**

Between **Waitomo District Council**  
Local authority

And **Transpower New Zealand Limited**  
Submitter 31 and Further Submitter FS30

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**Statement of evidence of Pauline Mary Whitney for Transpower New Zealand Limited**

Dated 4 November 2024

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## 1 Executive Summary

- 1.1. Transpower New Zealand Limited ("**Transpower**") owns and operates the National Grid, which transmits electricity throughout New Zealand from energy generation sources to distribution networks and direct-connect customers. Transpower has assets within the Waitomo District, predominantly located in the eastern part of the district.
- 1.2. Given this is the first hearing on the Proposed Waitomo District Plan ("**PDP**") at which Transpower is presenting evidence (noting a Hearing Statement was lodged to Hearing Tranche 1 on the topics of Earthworks and Subdivision) the evidence provides contextual information on the National Grid, including its role and function, operational and technical requirements and the planning policy framework.
- 1.3. The need to operate, maintain, upgrade and develop the electricity transmission network is recognised as a matter of national significance through the National Policy Statement on Electricity Transmission 2008 ("**NPSET**"). There are three broad aspects to the NPSET which must be given effect to in local authority plans:
  - a. **Enabling the National Grid:** Policies and plans must provide for the effective operation, maintenance, upgrading and development of the National Grid. This includes recognising and providing for the national, regional, and local benefits.
  - b. **Managing the effects of the National Grid:** Policies, plans and decision makers must take into account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.
  - c. **Managing the effects on the National Grid:** A significant resource management issue across New Zealand is managing inappropriate development, land use and subdivision in close proximity to the National Grid, which can compromise its operation, maintenance, development and upgrade. Under the NPSET, policies and plans must include provisions to protect the National Grid from other activities. Specifically, the NPSET requires that district plans include a buffer corridor around National Grid transmission lines. Within this area, "sensitive" activities should not be allowed, while any other activities that have the potential to compromise the National Grid or generate reverse sensitivity issues are to be appropriately managed or avoided.

- 1.4. At a broad level Transpower's submission on the PDP was largely in support but sought amendments to give effect to the NPSET. A summary of the main elements of the relief sought in the submission is as follows:
- A specific focus of the submission was on Chapter 18. National Electricity and Gas and Chapter 19. Network Utilities. Chapter 18. relates to activities undertaken by other parties within the National Grid Yard. Transpower was generally supportive of the Chapter, and in particular the containment of the rules and policies on the basis it provides for plan users and provides a clear link between the policy and rule framework. Notwithstanding the support, some rule and policy amendments (including amendment to activity status) were sought to give effect to the NPSET.
  - Chapter 19 applies to network utility operators and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. Transpower was supportive of the provision of specific National Grid policies within the Chapter on the basis such policies give effect to the NPSET. An amendment was sought to Rule NE-R33 (earthworks) and R37 (indigenous vegetation) to provide a discretionary activity status as opposed to non-complying.
  - The balance of the Transpower submission was to seek clarification on the relationship of Chapter 19 to other chapters of the plan, in particular the Coastal Environment, Natural Features and Landscapes, Natural Character and Indigenous Biodiversity Chapters.
- 1.5. The Section 42A reports have comprehensively assessed Transpower's submission points with the majority of the relief sought accepted or accepted in part (noting many of these points sought the retention of provisions as notified).
- 1.6. I support or accept the majority of the officer recommendations (attached as Appendix C to my evidence is a table outlining all the submission points relevant to Tranche 2 Hearing Topics and my position on the recommendations). There are only four provisions which I recommended amendment to, as follows:
- Definition - National Grid Yard: As Transpower sought in its submission<sup>1</sup>, the officer has supported the retention of the notified definition of *National Grid Yard*. I support the recommendation, and in my evidence respond to the invitation by the reporting officer to respond to the relief sought by Horticulture NZ [27.09] that the

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<sup>1</sup> Submission point 31.08

definition of the National Grid Yard be reduced from 12m to 10m in any direction from a National Grid single pole or pi-pole.

- Definition - Transmission sensitive activity(ies): In its submission<sup>2</sup> Transpower sought amendment to the definition of *Transmission sensitive activity(ies)*. This has been accepted by the reporting officer, but I wish to clarify that 'Tourism facilities' should be retained as sought in the Transpower submission. I assume the deletion shown in the S42A Report is an error.
- Strategic Objective SD-O30: While Transpower supported<sup>3</sup> the objective as notified, in response to other submission points, SD-O30 has been amended. While I support the intent of the amendment, I have concerns the reference to reverse sensitivity effects does not sufficiently recognise there may be other effects that may compromise significant infrastructure.
- Network Utility policy NU-P22: In its submission Transpower sought amendment to the National Grid specific policy for the development of new National Grid assets. The officer has accepted the relief sought and while I support the intent of the recommendation, in my opinion the recommended wording is now unclear.

- 1.7. For the avoidance of doubt, I support or accept all the other recommendations for the reasons outlined in Appendix B.
- 1.8. Attached as **Appendix A** is the National Policy Statement on Electricity Transmission 2008. Relevant provisions from the Waikato Regional Policy Statement are attached as **Appendix B**, Attached as **Appendix C** to my evidence is a table outlining all the submission points relevant to Tranche 2 Hearing Topics.

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<sup>2</sup> Submission point 31.12

<sup>3</sup> Submission point 31.19

## Table of Contents

1	Executive Summary	
2	Qualifications and Experience	5
3	Scope of Evidence	6
4	Transpower's Assets with the Waitomo District	6
5	National Direction under the RMA	6
6	Regional Direction under the RMA	13
7	Transpower Submission on the Proposed Waitomo District Plan	
15		
8	Response to the Section 42A Report Recommendations	16
8	Conclusion	28
	Appendix A - National Policy Statement on Electricity Transmission	
	2008	30
	Appendix B - Relevant provisions from the Waikato Regional Policy	
	Statement	35
	Appendix C - Summary Table - Response to s42A Report Officer	
	Recommendations	39

## 2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. I am a Senior Planner and Senior Principal of Boffa Miskell Ltd, a national firm of consulting planners, ecologists and landscape architects. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons). I am a Full Member of the New Zealand Planning Institute and have over 26 years' experience as a resource management planner.
- 2.3. I have been a planning consultant based in Wellington for the past 21 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the infrastructure and energy sectors. Prior to that I was employed with local authorities in New Zealand and the United Kingdom for 5 years. My experience includes:
  - a. Work on the preparation of plan changes for councils and private clients and review of numerous regional policy statements, regional plans and district plans on their behalf; and
  - b. Preparing resource consent applications and notices of requirement for a wide range of development and infrastructure projects.
- 2.4. Specific to Transpower New Zealand Limited ("**Transpower**"), I have assisted Transpower on a number of planning processes and thus have a good practical understanding of how the grid operates.
- 2.5. My evidence is given in support of Transpower's submission on the Proposed Waitomo District Plan ("**PDP**"). In this matter, Boffa Miskell Ltd was engaged by Transpower to provide planning expertise through the submission process, as well as to prepare this evidence on the PDP.
- 2.6. I have read the Code of Conduct for Expert Witnesses contained in Section 9 of the Environment Court Consolidated Practice Note (2023), and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## 3. Scope of Evidence

- 3.1. Transpower lodged an extensive submission to the PDP with the overall intent to ensure the district plan gives effect to the National Policy Statement on Electricity Transmission 2008 (“**NPSET**”). Given this is the first hearing at which Transpower has appeared, I consider that it would be helpful to outline Transpower’s interests in the Waitomo District as well as the specific policy framework associated with the National Grid. On this basis my evidence will address the following:
- a. The planning background to Transpower’s submission, and an outline of the need to provide sufficient recognition of the national significance of the National Grid, particularly in the context of the NPSET:
  - b. An overview of Transpower’s submission on the PDP; and
  - c. My responses to the recommendations within the Tranche 2 Section 42A Report on Transpower’s submission points.
- 3.2. My evidence should be read together with the evidence of Ms Rebecca Eng who describes Transpower and the role and importance of the National Grid and addresses the nature of Transpower’s assets within the Waitomo District.

#### **4. Transpower’s Assets with the Waitomo District**

- 4.1. Transpower owns and operates a variety of infrastructure assets associated with the National Grid within Waitomo District. Details of the existing assets and current asset upgrades and developments, including a plan of the specific existing National Grid assets within the district, are provided in the evidence of Ms Eng. There is one substation in the district, the designated Hangatiki substation.

#### **5. National Direction under the RMA**

##### **National Policy Statements**

- 5.1. National policy statements are at the top of the hierarchy of planning instruments under the Resource Management Act 1991 (“**RMA**”). Of particular relevance to the PDP and Transpower’s submission is the National Policy Statement on Electricity Transmission 2008 (“**NPSET**”) (and the supporting Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NESETA**”)), and the New Zealand Coastal Policy Statement 2010 (“**NZCPS**”). Addressing the interface between these two statements and how they are read together is a key aspect of the relief sought by Transpower.

5.2. In terms of other potentially relevant national policy statements, in my opinion the National Policy Statement on Urban Development 2020 – Updated 2022 (“**NPS-IB**”) and National Policy Statement for Freshwater Management 2020 (“**NPSFM**”) are of limited relevance given Waitomo is a Tier 3 authority, and the PDP is a district as opposed to regional plan. There are no existing Transpower assets within any urban areas within Waitomo District.

5.3. While the National Policy Statement on Indigenous Biodiversity 2023 (“**NPS-IB**”) is relevant to the PDP, it is not relevant to the National Grid on the basis of clause 1.3(3) which provides:

*Nothing in this National Policy Statement applies to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities and electricity transmission network assets and activities. For the avoidance of doubt, renewable electricity generation assets and activities, and electricity transmission network assets and activities, are not “specified infrastructure” for the purposes of this National Policy Statement.*

5.4. The above exemption is important as it relates to the National Grid (being electricity transmission), and directs that any policies and rules recommended by the reporting officer to give effect to the NPS-IB effects management hierarchy (clauses 3.10 and 3.11) and provisions relating to indigenous biodiversity outside SNAs (to implement clause 3.16 of the NPS-IB) are not to be applied to the National Grid. Given the clear directive within the NPS-IB within clause 1.3(3), I support the S42A Report recommendation<sup>4</sup> that “*It is the intention of this plan to manage activities which affect the national grid through the NGET provisions and to provide specific provisions relating to indigenous vegetation within and outside SNAs through NU-R37 and the supporting policy framework in the network utilities chapter. Accordingly, it is recommended that this submission point is accepted in part.*”

5.5. I recognise that while the NZCPS is the only mandatory national instrument, all the national policy statements (“**NPS’s**”) sit at the top of the planning instrument hierarchy. I note the NPS’s neither stipulate nor provide direction on their relationship or standing relative to one another. This presents councils with an interpretive and administrative challenge, particularly where effect needs to be given to multiple NPS’s. In my experience to date the relationship between the directives contained within the various NPS’s needs to be carefully assessed and a plan related policy framework developed

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<sup>4</sup> S42A Recommendation (Ecosystems and IB): paragraph 178. Recommendation on submission point 31.62,



that addresses obvious tensions between policy statements that need to be given effect to. Key to this is understanding the intent that underlies conflicting or competing directives and developing a tailored policy response to help guide decision makers to reconcile identifiable differences.

### **The National Policy Statement on Electricity Transmission 2008**

- 5.6. The NPSET directs the management of the electricity transmission network under the RMA. A copy of the NPSET is appended to my evidence as **Appendix A**. The NPSET confirms the national significance of the National Grid and establishes a clear national policy direction that recognises the benefits of electricity transmission, the effects of and on the National Grid, and the need to appropriately manage activities and development under and in close proximity to it.
- 5.7. The primary basis and reasoning for the National Grid specific provisions in the PDP is to recognise the national significance of the National Grid and enable its operation, maintenance, upgrade and development. The proposed policy framework in NU-P20 to P22 reflects Transpower's evolving approach to the management of activities near the National Grid over more than 10 years, as it works with Councils around the country on various plan reviews and plan change processes to give effect to the NPSET.
- 5.8. The need to operate, maintain, upgrade and develop the electricity transmission network is recognised as a matter of national significance through the NPSET. This significance applies universally across the country regardless of the nature of the specific National Grid asset. The NPSET Objective recognises that the network itself potentially gives rise to adverse effects, and that other activities can potentially adversely affect the network. The NPSET policies give direction on how to achieve the objective by providing for the recognition of the benefits of electricity transmission, as well as the management of the environmental effects of electricity transmission and the adverse effects of other activities on the transmission network. As such, the NPSET policies impose obligations on both decision-makers and Transpower itself.
- 5.9. The sole objective of the NPSET is as follows:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- *Managing the adverse environmental effects of the network; and*

- *Managing the adverse effects of other activities on the network.*

- 5.10. This objective recognises that the electricity transmission network itself potentially gives rise to adverse effects, and, conversely, that other activities can potentially adversely affect the network.
- 5.11. The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant and impose obligations on both decision-makers and Transpower itself. The development of the National Grid is explicitly recognised in the NPSET.
- 5.12. Policy 1 specifies that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Policies 2 to 9 provide RMA decision-makers direction for managing the environmental effects of transmission activities. Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address. Policy 12 requires the identification of the transmission network on territorial authority planning maps. Policies 13 and 14 relate to the long-term strategic planning for transmission assets.
- 5.13. In essence there are three broad aspects to the NPSET which must be given effect to in district plans, as below.

***Enabling the National Grid:***

- 5.14. Policies and plans must provide for the effective operation, maintenance, upgrading and development of the National Grid. This includes recognising the national benefits. Explicit reference is made to the benefits of security of supply, efficient transfer of energy and facilitating the use and development of new electricity generation, including renewable generation in the management of the effects of climate change.
- 5.15. In terms of its existing assets, Transpower undertakes a wide range of maintenance activities across its entire asset base. Typical maintenance activities include earthworks, vegetation trimming and clearance, and support structure maintenance activities. Some, but not all, of these activities are regulated under the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. Transpower considers it necessary for the District Plan

to adopt an enabling framework through which the benefits of the National Grid can be considered and recognised.

***Managing the effects of the National Grid:***

- 5.16. Associated with the development of National Grid assets is the potential for adverse environmental effects. Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.
- 5.17. Policy 1 specifies that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy and facilitating the use and development of new electricity generation, including renewable generation, in managing the effects of climate change.
- 5.18. Policies 2 to 9 relate to management of the environmental effects of electricity transmission. In particular, Policy 2 states: *"In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network."*
- 5.19. Policies 3 to 5 contain matters which decision-makers must consider, including technical and operational constraints, the route, site and method selection process, and operational requirements.
- 5.20. Policy 6 of the NPSET seeks to reduce existing adverse effects where appropriate, while Policies 7 and 8 relate to effects on urban and rural environments respectively. Policy 9 specifically relates to health standards.
- 5.21. Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments/areas (being outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity, and existing sensitive activities). The wording of NPSET Policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET).

- 5.22. Policies 2 to 9 are particularly relevant to the PDP as they provide the policy framework for managing the environmental effects of electricity transmission in recognising and providing for the ongoing operation and development of the National Grid.
- 5.23. The development of the National Grid must therefore be managed to ensure the potential for adverse effects is appropriately managed while recognising the significance of the National Grid and the constraints under which it operates. The NPSET requires the District Plan to include objectives and policies that:
- Allow for the consideration of the technical constraints and operational requirements under which the National Grid operates, for example the linear nature of the transmission lines.
  - Have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the route, site and method selection.
  - Ensure new planning and development seeks to avoid adverse effects on more sensitive areas.
- 5.24. This policy direction within the NPSET sets an appropriate rule framework for National Grid infrastructure.
- 5.25. Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.

***Managing the effects on the National Grid:***

- 5.26. Policies and plans must include provisions to protect the National Grid from other activities. The NPSET requires that district plans include a buffer corridor around National Grid lines within which “sensitive” activities including residential buildings, hospitals and schools should not be given resource consent. Other activities that have the potential to compromise the National Grid or generate reverse sensitivity issues are managed to avoid those outcomes ‘to the extent reasonably possible’.
- 5.27. In addition to the health and safety issues of activities locating within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing Transpower infrastructure to manage effects such as noise,

reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines. The location of buildings and activities, particularly 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.

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

- Avoid sensitive activities near electricity transmission lines and infrastructure;
- Manage other activities to avoid reverse sensitivity effects on the Grid; and
- Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised.

5.29. The most effective and efficient way of managing the potential for adverse effects on the National Grid is to adopt a corridor approach. Transpower's corridor approach has two components, often referred to as the "National Grid Yard" and the "National Grid Subdivision Corridor". Adopting the National Grid corridor approach is supported by NPSET Policy 10 and 11. Policy 10 requires that councils to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the electricity transmission network and ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised. Policy 11 requires that councils identify an appropriate buffer corridor, within which sensitive activities should generally not be provided for. Policy 12 requires the identification of the transmission network on territorial authority planning maps.

5.30. As outlined in the evidence of Ms Eng, Transpower is conscious that the anticipated decarbonisation of New Zealand's economy is likely to ultimately require sustained investment in the National Grid to connect to and reliably distribute new forms of electricity generation. In my opinion, it is important that, in context of the NPSET, the PDP provides an appropriate enabling framework for the ongoing operation, maintenance, upgrading and, importantly, development of the National Grid. Such a framework is necessary, in my opinion, to give effect to the NPSET.

## **The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009**

5.31. The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NESETA**”) addresses the objectives and policies of the NPSET, particularly the policies related to the existing transmission network, by providing a national framework of permissions and consent requirements for activities involving existing high voltage electricity transmission lines (but not substations). Activities covered by the NESETA are activities relating to the operation, maintenance, upgrading, relocation or removal of an existing transmission line, including:

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

5.32. The transmission lines within the Waitomo District described in Ms Eng’s evidence are subject to the NESETA as ‘existing transmission lines’, excluding the Hangatiki – Te Awamutu A 110kV line which is owned by Waipa Networks Ltd and designated.

5.33. The relationship between the NESETA and the district plan is such that the NESETA generally prevails. However, for some activities (including earthworks (within a natural area<sup>5</sup>) and vegetation removal), the NESETA defers to the district plan provisions in determining the applicable activity status under the NESETA. Rule NU-R1 of the PDP defers to the NESETA.

## **6. Regional Direction under the RMA**

### *The Operative Waikato Regional Policy Statement*

6.1. The Waikato Regional Policy Statement: Te Tauākī Kaupapahere ā-Rohe O Waikato (“RPS”) was made operative in 2016. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement. Relevant provisions from the RPS are attached as **Appendix B**, with brief commentary on these provisions provided in the following paragraphs.

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<sup>5</sup> The NESETA defines a Natural area as “an area that is protected by a rule because it has outstanding natural features or landscapes, significant indigenous vegetation, or significant habitats of indigenous fauna”.

- 6.2. Energy, and specifically electricity transmission, is addressed within Objective EIT-O1. This objective provides for the operation, maintenance, upgrade and development of transmission that recognises and provides for the national significance and benefits, constraints, and the future needs and security of supply, of electricity transmission.
- 6.3. Objective UFD-O1 provides for development of the built environment in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes. Reference is made within the objective to protecting natural character and outstanding landscapes from inappropriate activities; ensuring development does not compromise infrastructure corridors; recognising and protecting the value and long-term benefits of regionally significant infrastructure; minimising land use conflicts, including minimising potential for reverse sensitivity; and providing for the development, operation, maintenance and upgrading of new and existing electricity transmission.
- 6.4. Policy UFD-P2 further expands on the relationship of the built environment with infrastructure by directing that new development maintains the operational effectiveness, viability and safety of existing and planned infrastructure, and that investment in existing infrastructure is protected. Clause c) requires that the efficient and effective functioning of infrastructure is maintained, as well as the ability to maintain and upgrade that infrastructure.
- 6.5. Policy EIT-P1 also relates to management of the built environment with a focus on regionally significant infrastructure. As with Policy UFD-P2, there is a clear policy directive to manage the built environment having particular regard to ensuring the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected; the benefits of Regionally Significant Infrastructure (“RSI”) and electricity transmission; and the technical and operational requirements of the electricity transmission network.
- 6.6. The provision of a “Transmission corridor management approach” is identified within Method EIT-M2 as a specific implementation method, with reference to the NPSET, NESETA and transmission corridor guidelines. This is a key implementation method within the RPS that is specific to electricity transmission.
- 6.7. The above objectives and policies provide a clear policy directive to ensure the development of the built environment does not compromise the National Grid, and that electricity transmission is appropriately recognised and provided for.

## **7. Transpower Submission on the Proposed Waitomo District Plan**

- 7.1. Given this is the first hearing appearance by Transpower, and the interconnected nature and breadth of all of Transpower's submission points, I consider it helpful to briefly summarise the general nature of Transpower's submission on the PDP (noting that the topic of subdivision was addressed at the Tranche 1 Hearing).
- 7.2. While Transpower supported many aspects of the PDP as notified, numerous submission points were made. Many of the submission points sought to amend many of the provisions in terms of specific wording or activity status, and the clarify the relationship between and application of numerous chapters of the PDP. The submission points can be summarised as follows:

### ***Definitions***

- The definitions are largely supported, with two additional definitions sought to assist in plan interpretation (being *Reverse Sensitivity* and *Transmission Lines*) and an amendment to the definition of *Transmission sensitive activity(ies)*.

### ***Strategic Outcomes/Objectives***

- Transpower supported the Strategic Objectives (specifically Standards O16 and O30), however sought an amendment to the introduction to clarify the relationship to other plan objectives.

### ***Energy Chapter***

- While Chapter 17 is not directly applicable to Transpower, it is of relevance given it relates to energy generation which will play a critical role in New Zealand's carbon zero commitment and mitigating the effects of climate change. Transpower was supportive of the policy approach to increase the security of energy supply, however had concerns with rules which provide a prohibitive or non-complying activity status\National Electricity and Gas Transmission Chapter.

### ***National Electricity and Gas Transmission Chapter***

- Chapter 18. *National Electricity and Gas Transmission* relates to activities undertaken by other parties within the National Grid Yard. Transpower generally supported the Chapter, and in particular the location of the policies and rules within the one chapter. Notwithstanding the support, some rule and policy amendments (including amendment to activity status) are sought to give effect to the NPSET.



### ***Network Utilities Chapter***

- Chapter 19 applies to network utility operators and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. Transpower supported the provision of specific National Grid policies within the Chapter on the basis such policies give effect to the NPSET.
- The PDP correctly defers to the NESETA for existing electricity transmission lines.
- The rules in the Chapter are largely supported. However, amendment was sought to Rule NE-R33 (earthworks) and R37 (indigenous vegetation) to provide a discretionary activity status as opposed to non-complying.

### ***Coastal Environment Chapter and Natural Features and Landscapes Chapter***

- While the National Grid is addressed within Chapter 18 National Electricity and Gas Transmission and Chapter 19 Network Utilities, it is noted Infrastructure is referenced within policies within the Coastal Environment (Chapter 32) and Natural Features and Landscapes (Chapter 28) chapters. Arguably the term 'Infrastructure' (as defined in the RMA) applies to the National Grid. While the rules within Chapter 32 Coastal Environment and Chapter 28 Natural Features and Landscapes do not apply to the National Grid, the application of the policies is unclear. Transpower sought clarification within the overview to clarify the application of the above chapters in relation to the National Grid.

### ***Natural Character Chapter and Ecosystems and Indigenous Biodiversity Chapter***

- As above, while the rules within Chapter 26 Ecosystems and Indigenous Biodiversity and Chapter 27 Natural Character do not apply to the National Grid, the application of the policies is unclear. Transpower sought clarification within the overview to clarify the application of the above chapters in relation to the National Grid

- 7.3. In addition to its original submission, Transpower lodged 56 further submission points on the PDP.

## **8. Response to the Section 42A Report Recommendations**

- 8.1. The following section responds to the S42A Report recommendations on Transpower's submission points. For clarity, attached as **Appendix C** is a table outlining all the original submission points relevant to Hearing Tranche 2 and my response to the recommendations.

- 8.2. The reporting officer has largely retained the plan framework as notified, a position which I support.
- 8.3. My response to the S42A Report recommendations are addressed under the following topics (which reflect the topics within the Transpower submission), with a particular focus on those submission points not accepted or that in my opinion require clarification, as opposed to all the submission points.
- Definitions
  - Strategic Outcomes/Objectives
  - Energy Chapter
  - National Electricity and Gas Transmission Chapter
  - Network Utilities Chapter
  - Coastal Environment Chapter, Natural Features and Landscapes Chapter and Natural Character Chapter and Ecosystems and Indigenous Biodiversity Chapter

## **Definitions**

- 8.4. I accept the S42A Report recommendations on the majority of the definitions. However, I wish to comment on the definition of National Grid Yard, and I recommend clarification of the officer recommended amendments to Transmission sensitive activity(ies). These definitions are addressed in turn.

- 8.4.1. Definition - National Grid Yard: As Transpower sought in its submission<sup>6</sup>, the officer has supported the retention of the notified definition of *National Grid Yard*. I support the recommendation noting it is comprised of two setback elements – the first is the setback from the centreline of the transmission line and the second is the setback from the support structure itself (i.e. the pole or tower). The setback from the centreline of the transmission lines is a width calculated as the distance from the centreline between the support structures to the point where the conductor would swing under everyday conditions (noting that maintenance is not generally undertaken in high wind conditions). The width is in part determined by the support structure type in that generally, the taller and stronger the support structure, the greater the length of the transmission line between the structure and potentially the

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<sup>6</sup> Submission point 31.08

voltage, and therefore the greater the swing potential. As such the setback from the centreline varies and is either 10m or 12m. In contrast the setback from the support structure themselves is the same (at 12m) regardless of the support structure type. This is to provide sufficient space for most (but not all) maintenance activities, health and safety reasons, and to ensure the stability of the structure is not compromised. A key point I wish to make is that while some definitions include a 10m setback from the centreline for 110kv lines on poles, this is not that same as the required 12m setback from support structures. I can confirm the approach proposed within the PDP reflects the nationwide transmission corridor approach.

- 8.4.2. The submission by Horticulture NZ [27.09] provides no reasoning but from my understanding and interpretation of their relief sought, is addressing two issues – the first being the setback from the support structures, and the second being the setback from the centreline. I address these two aspects in turn.

**Setback from Support Structure:** In response to the invitation<sup>7</sup> by the reporting officer to respond to the relief sought by Horticulture NZ [27.09] that the definition of the National Grid Yard be reduced to from 12 m to 10m in any direction from a National Grid single pole or pi-pole (support structure) I note the following.

- A 12m setback around each support structure (regardless of whether it is a pole or tower) is primarily sought to ensure access is maintained, the support structures are not themselves compromised, and that health and safety issues (such as step touch hazards do not result). To go closer than 12m to the support structures does not allow sufficient space for access, operation, maintenance and development. Nor does it provide for all access, workspace, step and touch hazards where activities or infrastructure cause restrictions or create unsafe situations, especially during work activities on either Transpower's assets or works by a member of the public under or near a line. Additionally, the stability of National Grid lines can be affected by activities that destabilise support structures or affect foundations.

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<sup>7</sup> S42A Report (NGET), Paragraph 88

- The issue relating to setback from support structures has been well canvassed in the past. As part of my 2023 evidence to the proposed Central Hawkes Bay District Plan, I provided a response<sup>8</sup> to the panel direction on this matter. In my evidence I reviewed 20 recent district plans that have become operative or proposed in the last five years. The assessment found that all the District Plans (either operative or proposed) in the last five years adopt a common approach in that all the definitions and rules provide that buildings and structures must be set back 12m from support structures (whether they are poles or towers). It is noted that the 12m setback is the assessed standard and there are exceptions for certain activities within 8m-12m of the support structure (including artificial crop protection support structures, fences or where Transpower has given written approval). This reflects the approach within the Waitomo PDP as provided in Rule NEG-T-R2.1.(iii) and (iv).

**Setback from Centreline:** The second aspect raised in the relief sought by Horticulture NZ [27.09] is in relation to the setback from the centreline.

- As noted above, the setback from the centreline is determined by support structure type and voltage. Within the Waitomo context, the majority of support structure are towers. However there are eight pi-poles, and I do acknowledge two poles. Refer Figure 1.



*Figure 1. Two single poles, circled in blue*

As noted in its further submission, Transpower acknowledged these two poles and was open to amending the National Grid Yard definition from

<sup>8</sup> <https://www.chbdc.govt.nz/assets/Document-Library/District-Plan-Proposed/Hearing-Stream-3/Transpower-BM19441-Planning-Post-Hearing-Response.pdf>

the centreline to reflect this and provide a 10m setback from the centreline (not the structures) to reflect these two assets. However, given the 10m centreline setback would only apply for a distance of 110m (the distance between the two assets) I do not consider a change to the definition warranted given its very limited and confined application.

I note that Transpower does not treat pi-poles the same as single poles in terms of setbacks (on the basis of the 'swing' potential of the conductors in everyday wind conditions).

However, should the panel wish to amend the definition to accommodate the 110m distance between the two poles and provide a 10m setback from the centreline, the definition could be amended as follows: (refer [green](#) text). The suggested explanatory text is for clarification.

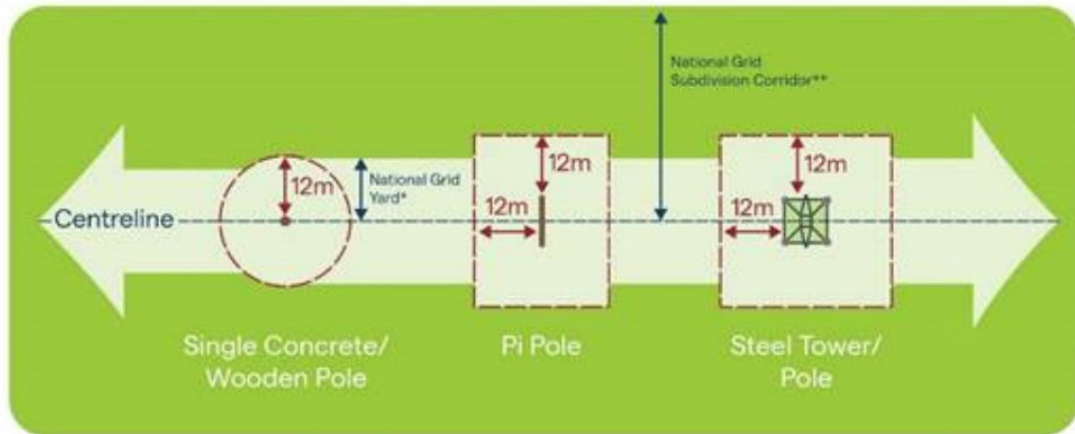
- *the area located 12 metres in any direction from the outer edge of a national grid support structure (including where towers are replaced with tubular steel monopoles), and*
- *the area located 12 metres either side of the centreline of any overhead national grid line [on towers or pi-poles; and](#)*
- *[the area located 10 metres either side of the centreline of an overhead national grid line on single poles.](#)*

*The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated. [The measurement of setback distances from National Grid lines shall be taken from the centerline of the transmission line and from the outer edge of any support structure. The centerline at any point is a straight line between the centre points of the two support structures at each end of the span](#)*

Notwithstanding the above, I do accept the interpretation and application of the definition could be improved by the replacement of the accompanying diagram within the definition, with the three provided below. In my opinion this could be considered a consequential

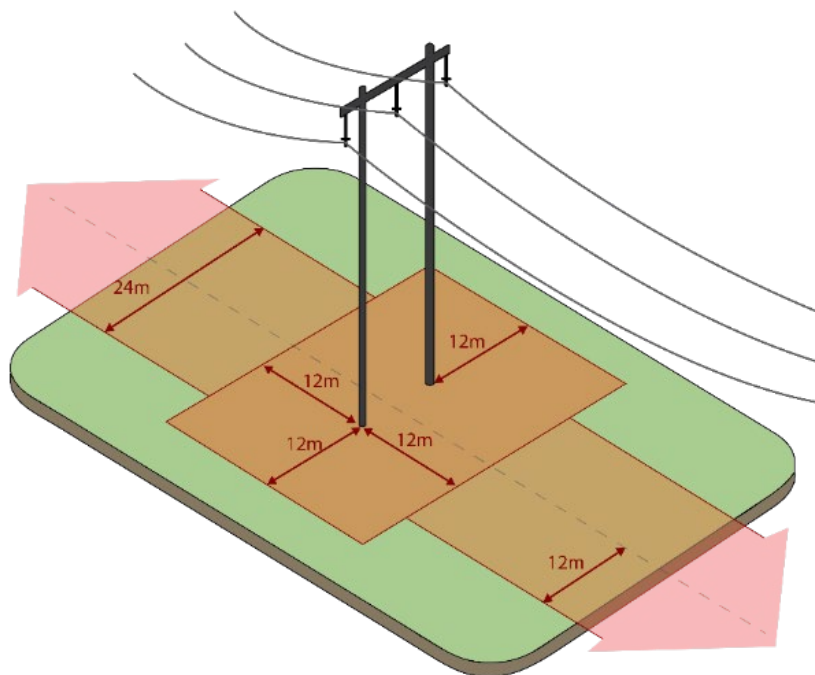
amendment, noting the diagrams have the same setbacks as supported in the Transpower submission.

Delete the following diagram

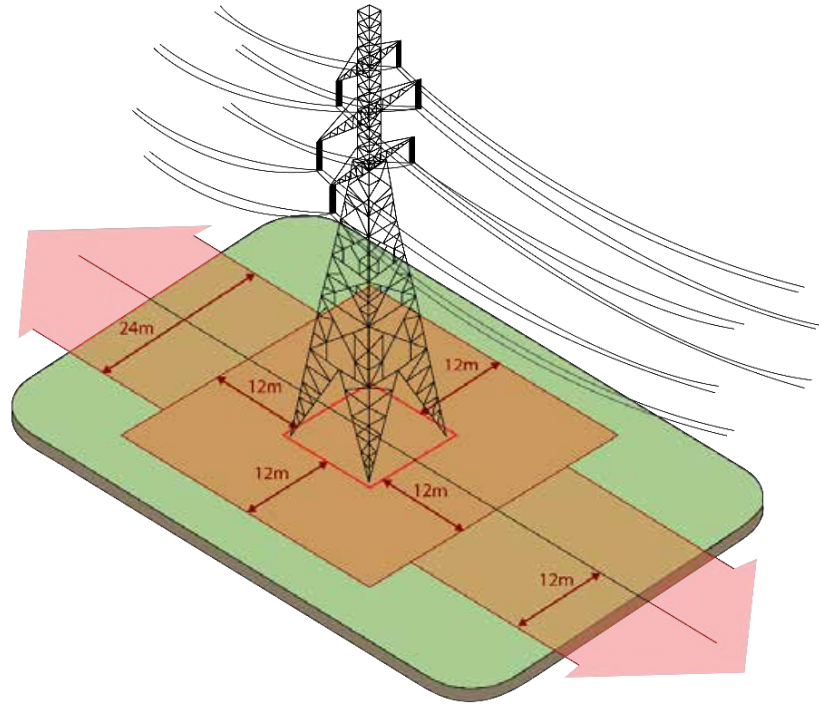


- \* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types
- \*\* National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage

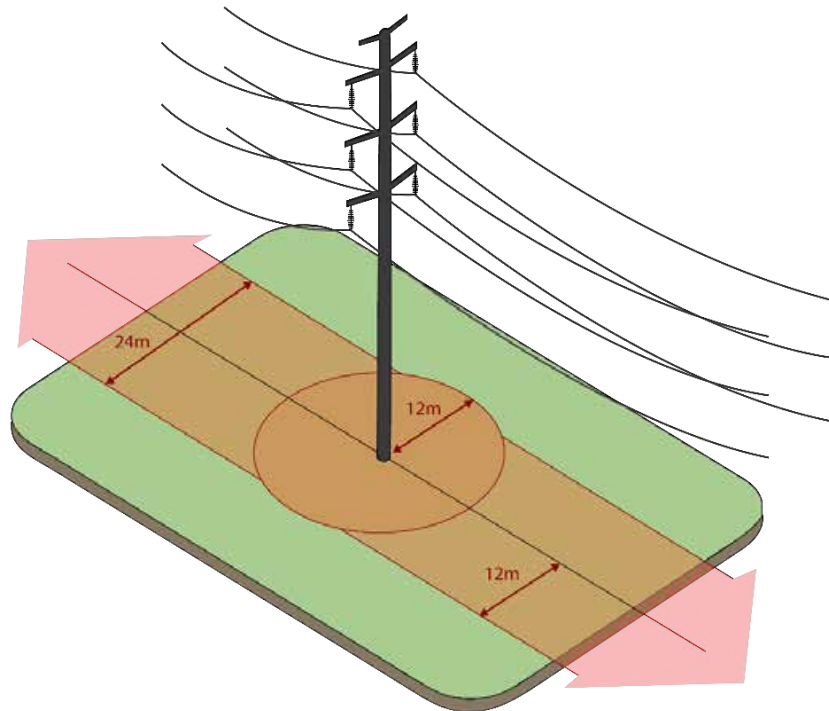
Insert the following diagrams to reflect the support structure type in the district



Pi-Pole



Steel Lattice Tower



Steel Tubular Tower

Consequential to the above would-be inclusion of similar diagrams for the National Grid Subdivision Corridor.



8.4.3. Definition - Transmission sensitive activity(ies): In its submission<sup>9</sup> Transpower sought amendment to the definition of *Transmission sensitive activity(ies)*. This has been accepted by the reporting officer, but I wish to clarify that 'Tourism facilities' should be retained as sought in the Transpower submission (and not deleted as recommended by the reporting officer). I assume the deletion is an error as the S42A Report commentary refers to "*outdoor education activities and recreational hunting and other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area*", with no reference to *Tourism facilities*.

The amendment I recommend is for the retention of Tourism Facilities as shown below. I confirm I support the deletion of the other references as shown below: (refer **red** text for that recommended by the reporting officer and **green** text recommended through this evidence)

*Transmission sensitive activity(ies)*  
*means those activities that are particularly sensitive to national electricity and gas transmission activities, including but not limited to:*  
....  
(f) Educational (**including childcare**) facilities.  
.....  
(h) **Tourism facilities**, ~~outdoor education activities and recreational hunting~~.  
.....  
~~(i) Other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area.~~

## Strategic Outcomes/Objectives

8.5. Transpower supported the Strategic Objectives (specifically Standards O16 and O30), however sought an amendment to the introduction to clarify the relationship to other plan objectives. While I accept the officer recommendation to reject the submission point seeking text in the Overview, I do have concerns with the officer recommended amendment to SD-O30 (renumbered as SD-OX). Strategic Objective SD-OX is the only objective specifically applicable to regionally significant infrastructure and the National Grid and therefore is a key plan provision.

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<sup>9</sup> Submission point 31.12



- 8.6. In response to other submission points, the officer has recommended the objective be amended as follows:

*SD-OX Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources, by recognising their functional, locational and operational needs and managing reverse sensitivity effects which may impact their operation.*

- 8.7. While I support the reference to “functional, locational and operational needs”, the reference to ‘reverse sensitivity’ is opposed in part as the text does not recognise that there may be other effects that may compromise significant infrastructure, and instead confines the consideration to reverse sensitivity. I note the S42A report (SD) at paragraph 39 refers to the Kiwirail submission as the basis for the change. However I note the Kiwirail submission actually refers to “including reverse sensitivity” as opposed to solely referring to reverse sensitivity. This distinction is important. The specific relief sought is as follows (underline inserted for emphasis):

*SD-O’X’*

*Manage land use activities to avoid, remedy or mitigate adverse effects, including reverse sensitivity effects, of subdivision, land use and development, on regionally significant infrastructure including transport corridors.*

- 8.8. The confinement to reverse sensitivity effects does not give effect to the second element of NPSET policy 10<sup>10</sup> “to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.”.
- 8.9. I also have concerns with the reference being confined to operation and thereby ignoring maintenance and upgrading activities which can be a key feature of the activities requiring protection. I note the KiwiRail submission point above does not refer to operation, maintenance or upgrading.
- 8.10. Should the reference to reverse sensitivity be retained, I would recommend amendment to the text as follows: (refer **red** text for that recommended by the reporting officer and **green** text recommended through this evidence). Alternatively I would recommend wording that better reflects the KiwiRail submission.

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<sup>10</sup> NPSET POLICY 10

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

*SD-OX Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources, **by** recognising their functional, locational and operational needs, and managing reverse sensitivity effects (including reverse sensitivity effects) which may impact or compromise their operation, maintenance or upgrading.*

## **Energy Chapter**

- 8.11. While the Energy Chapter is not directly applicable to Transpower, it is of relevance given it relates to energy generation which will play a critical role in New Zealand's carbon zero commitment and mitigating the effects of climate change.
- 8.12. Given the general nature of the Transpower submission point I have no specific evidence on this matter and I therefore accept the officer recommendation.

## **National Electricity and Gas Transmission Chapter**

- 8.13. The National Electricity and Gas Transmission Chapter manages the effects of other activities on the National Grid and Gas Transmission network. As such its application is confined.
- 8.14. I confirm that I support/accept all the S42A Report recommendations on the Transpower submission points to this chapter. The reasoning for my position is articulated in Appendix B. The recommendations give effect to the NPSET and reflect the National Grid Corridor approach adopted throughout other district plans across New Zealand. There are no outstanding matters from my perspective on these provisions.

## **Network Utilities Chapter**

- 8.15. The Network Utilities Chapter manages network utilities activities themselves. While all the provisions are applicable to the National Grid, of specific relevance are objective NU-O3, policies NU-P20, NU-P21 and NU-P22, and rules NR-R19, NU-R20, NU-R3- and NU-R37.
- 8.16. The only provision I query within the chapter relates to policy NU-P22 *Provide for the development of the National Grid*. While the officer has recommended the submission point<sup>11</sup> be accepted (in full as inferred through the reasoning), the amended text does not reflect that sought in the Transpower submission. Instead clauses 3.(i) and (ii) are

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<sup>11</sup> Submission point 31.49

deleted and the replacement clauses (i) and (ii) have no directive in terms of a seek to avoid, or remedy or mitigate directive. I prefer the wording as provided in the Transpower submission but am happy to engage with the reporting officer on appropriate (or intended) wording prior to the hearing. I can confirm I support the recommended amendments to clauses 4., 5., and 6. Attached as Table 1 is a comparison of that sought in the submission and that recommended in the S42A Report.

Table 1. Submission and Section S42A Recommendation on Policy NU-P22

Submission- Amendments sought	S42A Report – Recommended policy
<p><b>NU-P22</b> Provide for the development of the National Grid:</p> <ol style="list-style-type: none"> <li>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and</li> <li>2. Seek to avoid the adverse effects of the National Grid within overlays, scheduled sites and features; and</li> <li>3. Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by: <ol style="list-style-type: none"> <li>(i) Seeking to avoid adverse effects on areas identified in SCHED6 - significant natural areas, SCHED7 – outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character; and</li> <li>(ii) Where it is not practicable to avoid adverse effects on the values of the areas in identified in SCHED6 – significant natural areas, SCHED7 - outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values; and</li> <li>(iii) Seeking to avoid significant adverse effects on: <ol style="list-style-type: none"> <li><del>i. SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; other areas of natural character in the coastal environment and</del></li> <li><del>ii. SCHED1 – heritage buildings and structures, SCHED2 – significant archaeological sites, SCHED3 and SCHED 4 – sites of significance to Māori; natural attributes and characteristics of other natural features and landscapes in the coastal environment</del></li> <li>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</li> <li><del>iv. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del></li> </ol> </li> </ol> </li> <li>4. <u>Remedying or mitigating other adverse effects to the extent practicable; and</u></li> <li>5. When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above; <ol style="list-style-type: none"> <li>(i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</li> </ol> </li> </ol>	<p><b>NU-P22.</b> Provide for the development of the <b>National Grid</b>:</p> <ol style="list-style-type: none"> <li>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and</li> <li>2. Seek to avoid the adverse effects of the <b>National Grid</b> within overlays, scheduled sites and features; and</li> <li>3. Where the <b>National Grid</b> has a functional need or operational need to locate within the coastal environment, manage adverse effects by: <ol style="list-style-type: none"> <li><del>(i) Seeking to avoid adverse effects on areas identified in SCHED6 – significant natural areas, SCHED7 – outstanding natural landscapes, SCHED8 – outstanding natural features, and SCHED10 areas of outstanding natural character; and</del></li> <li><del>(ii) Where it is not practicable to avoid adverse effects on the values of the areas in identified in SCHED6 – significant natural areas, SCHED7 – outstanding natural landscapes, SCHED8 – outstanding natural features, and SCHED10 areas of outstanding natural character because of the functional needs or operational needs of the national grid, remedy or mitigate adverse effects on those values; and</del></li> <li><del>(i) Other areas of natural character in the coastal environment;</del></li> <li><del>(ii) Natural attributes and characteristics of other natural features and landscapes in the coastal environment</del></li> <li><del>(iii) Seeking to avoid significant adverse effects on:</del> <ol style="list-style-type: none"> <li><del>i. SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; and</del></li> <li><del>ii. SCHED1 - heritage buildings and structures, SCHED2 - significant archaeological sites, SCHED3 and SCHED 4 - sites of significance to Māori; and</del></li> <li><del>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</del></li> <li><del>iv. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del></li> </ol> </li> </ol> </li> <li>4. <u>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</u></li> <li><del>4.5.</del> When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above;; <ol style="list-style-type: none"> <li>(i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</li> </ol> </li> </ol>

<p>(ii) Consider the constraints arising from the operational needs and or functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</p> <p>6. <del>Other than policies relating to the coastal environment,</del> in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p>	<p>(ii) Consider the constraints arising from the operational needs and or functional needs of the <b>National Grid</b>, when considering measures to avoid, remedy or mitigate any adverse effects.</p> <p><del>56. Other than policies relating to the coastal environment,</del> in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p>
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## Coastal Environment Chapter, Natural Features and Landscapes Chapter, Natural Character Chapter and Ecosystems and Indigenous Biodiversity Chapter

8.17. Noting that the rules of these chapters do not apply to the National Grid, in its submission Transpower sought clarification as to the application of the above chapters in relation to the National Grid. In response to Transpower's submissions points on these chapters seeking clarification as to their applicability, the S42A Reports<sup>12</sup> provides:

*"It is the intention of this plan to manage activities which affect the national grid through the NGET provisions and to provide specific provisions relating to (natural character, landscapes, indigenous vegetation within and outside SNAs) through rules and the supporting policy framework in the network utilities chapter. Accordingly, it is recommended that this submission point is accepted in part."*

8.18. Similar comments<sup>13</sup> were made in relation to the Coastal Environment Chapter.

8.19. However, somewhat conflicting comments were made in relation to NU-P8 *Indigenous Biodiversity*, with the Network Utilities S42A report recommending deletion of the policy on the basis the "policy framework in Chapter 26 Ecosystems and indigenous biodiversity must be read in conjunction with the policies in the Network Utilities Chapter". Specific extracts from the S42A Report are as follows.

*"281. It is not the intention that the Network Utilities Chapter provide a full policy framework for indigenous biodiversity. In relation to this, the following wording appears in italics under both the 'Objectives' and 'Policies' heading: "Refer also to the relevant policies in Part 2 District - Wide Matters and Part 3 - Area Specific Matters"*

<sup>12</sup> S42A Recommendation (NC): Paragraph 47. S42A Recommendation (NFL): Paragraph 90. S42A Recommendation (Ecosystems and IB): Paragraph 178.

<sup>13</sup> S42A report Coastal Environment, Paragraphs 65-66:

*282. In light of this, it is appropriate to consider the relevant policies in Chapter 26 Ecosystems and indigenous biodiversity. Policy ECO-P13 provides a comprehensive framework for the removal of indigenous vegetation or adverse effects on habitats of indigenous fauna, or disturbance of wetland areas occurs outside of significant natural areas. It is my view that many of the wording amendments sought by submitters are addressed through the policy framework in Chapter 26 Ecosystems and indigenous biodiversity.*

*283. In addition, the policy framework in Chapter 26 Ecosystems and indigenous biodiversity must be read in conjunction with the policies in the Network Utilities Chapter that recognise the benefits of network utilities and the functional and operational needs of network utilities. It is my opinion that this package of provisions across both chapters provides policy support for the rules enabling the minor clearance of indigenous vegetation in certain circumstances.”*

- 8.20. In my opinion, as currently drafted, given the Network Utilities Chapter and National Electricity and Gas Transmission Chapters have the preface before the policies “*Refer also to the relevant policies in Part 2 District -Wide matters and Part 3 - Area Specific Matters*”, all the Part 2 and Part 3 Chapter policies additionally apply. While it is not clear what are the ‘relevant policies’ it is assumed that for example, if a site is within the Coastal Environment, relevant policies are any that relate to the Coastal Environment.
- 8.21. While I am comfortable in relation to the National Grid specific policies NU-P20, NU-P21 and NU-P22 (in that the officer has recommended the clause “In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence”) I do see the potential for confusion. However, I am not recommending any specific relief as I consider the relief sought in the Transpower submission has been addressed.

## **9. Conclusion**

- 9.1. The National Grid is recognised as a matter of national significance through the NPSET, which seeks to ensure a nationally consistent approach to managing this important national resource.
- 9.2. Specific to Hearing Tranche 2, Transpower lodged an extensive number of submission points.

- 9.3. The Section 42A reports have comprehensively assessed the submission points of Transpower with the majority of the relief sought accepted or accepted in part (noting many of these points sought the retention of provisions as notified).
- 9.4. I support or accept the majority of the recommendations (attached as Appendix C to my evidence is a table outlining all the submission points relevant to Tranche 2 Hearing Topics and my position on the recommendations). There are only four officer recommendations that I specifically address in my evidence, three of which can be described as points of clarification. These matters are confined in nature and can readily be resolved.

**Pauline Mary Whitney**

4 November 2024

## Appendix A

### National Policy Statement on Electricity Transmission 2008

## NATIONAL POLICY STATEMENT

# on Electricity Transmission

*Issued by notice in the Gazette on 13 March 2008*

### CONTENTS

Preamble

1. Title
2. Commencement
3. Interpretation
4. Matter of national significance
5. Objective
6. Recognition of the national benefits of transmission
7. Managing the environment effects of transmission
8. Managing the adverse effects of third parties on the transmission network
9. Maps
10. Long-term strategic planning for transmission assets



## Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government's objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act's statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

## 1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

## 2. Commencement

This national policy statement comes into force on the 28<sup>th</sup> day after the date on which it is notified in the *Gazette*.

## 3. Interpretation

In this national policy statement, unless the context otherwise requires:

**Act** means the Resource Management Act 1991.

**Decision-makers** means all persons exercising functions and powers under the Act.

**Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system** all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

**National environmental standard** means a standard prescribed by regulations made under the Act.

**National grid** means the assets used or owned by Transpower NZ Limited.

**Sensitive activities** includes schools, residential buildings and hospitals.

## 4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

## 5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

## 6. Recognition of the national benefits of transmission

### POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

## 7. Managing the environmental effects of transmission

### POLICY 2

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

### POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

### POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

### POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

#### POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

#### POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

#### POLICY 8

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

#### POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

### 8. Managing the adverse effects of third parties on the transmission network

#### POLICY 10

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

#### POLICY 11

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

### 9. Maps

#### POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

### 10. Long-term strategic planning for transmission assets

#### POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

#### POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

#### Explanatory note

*This note is not part of the national policy statement but is intended to indicate its general effect*

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.

## Appendix B

### Relevant provisions from the Waikato Regional Policy Statement 2016

#### **EIT-O1 – Energy**

*Energy use is managed, and electricity generation and transmission is operated, maintained, developed and upgraded, in a way that:*

- 1. increases efficiency;*
- 2. recognises any increasing demand for energy;*
- 3. seeks opportunities to minimise demand for energy;*
- 4. recognises and provides for the national significance of electricity transmission and renewable electricity generation activities;*
- 5. recognises and provides for the national, regional and local benefits of electricity transmission and renewable electricity generation;*
- 6. reduces reliance on fossil fuels over time;*
- 7. addresses adverse effects on natural and physical resources;*
- 8. recognises the technical and operational constraints of the electricity transmission network and electricity generation activities; and*
- 9. recognises the contribution of existing and future electricity transmission and electricity generation activities to regional and national energy needs and security of supply.*

#### **UFD-O1 – Built environment**

*Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:*

- 1. promoting positive indigenous biodiversity outcomes;*
- 2. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- 3. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- 4. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;*
- 5. recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
- 6. protecting access to identified significant mineral resources;*
- 7. minimising land use conflicts, including minimising potential for reverse sensitivity;*
- 8. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
- 9. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;*
- 10. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and*
- 11. providing for a range of commercial development to support the social and economic wellbeing of the region.; and*

12. *strategically planning for growth and development to create responsive and well-functioning urban environments, that:*
  - a. *support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change;*
  - b. *improve housing choice, quality, and affordability;*
  - c. *enable a variety of homes that enable Māori to express their cultural traditions and norms;*
  - d. *ensure sufficient development capacity, supported by integrated infrastructure provision, for identified housing and business needs in the short, medium and long term;*
  - e. *improves connectivity within urban areas, particularly by active transport and public transport;*
  - f. *take into account the values and aspirations of hapū and iwi for urban development.*

#### **UFD-P2 – Co-ordinating growth and infrastructure**

*Management of the built environment ensures:*

1. *the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:*
  - a. *optimise the efficient and affordable provision of both the development and the infrastructure;*
  - b. *maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;*
  - c. *protect investment in existing infrastructure; and*
  - d. *ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;*
2. *the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated or as required for tier 3 local authorities as set out in UFD-P18 and its associated methods;*
3. *the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and*
4. *a co-ordinated and integrated approach across regional and district boundaries and between agencies; and*
5. *that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.*

#### **EIT-P1 – Significant infrastructure and energy resources**

*Management of the built environment ensures particular regard is given to:*

1. *that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected;*
2. *the benefits that can be gained from the development and use of regionally significant infrastructure and energy resources, recognising and providing for the particular benefits of renewable electricity generation, electricity transmission, and municipal water supply; and*
3. *the locational and technical practicalities associated with renewable electricity generation and the technical and operational requirements of the electricity transmission network.*

#### **Implementation methods**

##### **EIT-M2 – Transmission corridor management approach**

Waikato Regional Council will work with territorial authorities and energy companies and in consultation with other relevant industry organisations, to develop a transmission corridor management approach which:

1. recognises the benefits of the national electricity grid;
2. identifies key transmission corridors in district plans, and:
  - a. protects the corridor and electricity transmission network from inappropriate activities (including “sensitive activities”, as defined in the National Policy Statement on Electricity Transmission); and
  - b. manages the adverse effects (including reverse sensitivity effects) of subdivision, use and development on the operation, maintenance, upgrading and development of the electricity transmission network.
3. identifies and addresses potential effects on people and communities and natural and physical resources from new transmission infrastructure;
4. seeks opportunities for alignment with other infrastructure corridors;
5. recognises that energy companies may be affected parties with respect to land use change, including subdivision and development; and
6. seeks to manage the effects of third parties on the safe and efficient operation of the transmission network.

#### **EIT-M5 – Measures to avoid adverse effects**

Local authorities should ensure that appropriate measures are implemented to avoid adverse effects of development of the built environment on the safe, efficient and effective operation of regionally significant infrastructure. With respect to electricity transmission corridors, development of the built environment should also take into account National Policy Statements, National Environmental Standards and Transmission Corridor Guidelines as relevant to the circumstances.

#### **EIT-M6 – Resilience of regionally significant infrastructure**

Infrastructure providers should develop ways to maintain and improve the resilience of regionally significant infrastructure, such as through back-up systems and protection from the risk of natural hazards.

#### **Explanation**

Regionally significant infrastructure and energy resources support the wellbeing of the regional community. Much of this infrastructure and energy is also very important for New Zealand as a whole, such as energy and transport infrastructure that connects areas to the north, east and south of the Waikato Region. It is therefore very important that development of the built environment does not compromise the functioning of this infrastructure. EIT-M1, EIT-M3, EIT-M4 and EIT-M5 are provided for this purpose. EIT-P1(1) is intended to ensure the ongoing efficiency and effectiveness of regionally significant infrastructure, but does not imply that all adverse effects on that infrastructure must be avoided in all cases. If the adverse effects of a built environment proposal cannot practicably be avoided, then EIT-M1(1), (2), (3) and (4) do not imply that the selected site should always be considered unsuitable as it may be possible to remedy or mitigate the adverse effects of concern. EIT-M6 also seeks to protect regionally significant infrastructure from natural hazards.

The way in which the term ‘planned’ is to be applied is explained in the explanation to EIT-P1.

The significant transport corridors identified in Maps 25 and 26 reflect the key strategic transport corridors identified in Maps 2 and 3 of the operative Regional Land Transport Plan 2021-2051 which classifies them as current and future arterial, regional, national and national high volume road corridors, and regional and national rail corridors. Significant transport corridors are equivalent to strategically important inter- and intra-regional road and rail corridors identified in the Regional Land Transport Plan.

*New Zealand and the region will benefit from further development of infrastructure and energy resources. Methods are provided to support such development in a way that appropriately manages potential adverse effects. Many effects of new electricity transmission, for example, could be avoided by appropriate siting of this infrastructure. This can be achieved through developing a transmission corridor management approach as described in EIT-M2.*

*There is an increasing need for renewable energy, and renewable energy developments such as hydro-electric dams can be regionally significant. The potential for development of renewable energy resources can be reduced due to development of the built environment. The methods ensure this is recognised in district and regional plans. Decisions about the future location of some developments (such as rural-residential development) should take into account the potential for locations to be used for future renewable energy developments.*

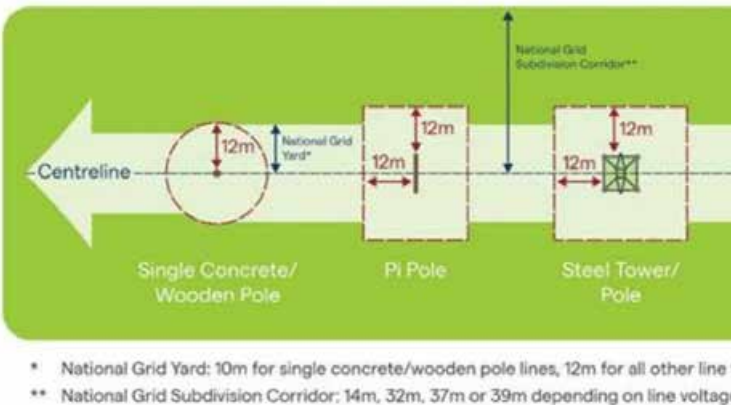
## Appendix C

### Summary Table - Response to s42A Report Officer Recommendations

Those submission points highlighted orange are recommendations that have not been accepted by the reporting officer and to which I recommended amendments.



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
<b>Part 1 – Introduction and General Provisions</b>				
<b>Interpretation</b>				
<b>9. Definitions</b>				
<b>31.02</b>	<b>Definition</b> - functional need <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i>	<b>Decision:</b> Support. Retain the definition <b>Reasoning:</b> The definition reflects that provided in the National Planning Standards and is therefore supported.	S42A Recommendation (Miscellaneous): Accept Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
<b>31.03</b>	<b>Definition</b> - land disturbance <i>means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) that does not permanently alter the profile, contour or height of the land.</i>	<b>Decision:</b> Support. Retain the definition <b>Reasoning:</b> The definition reflects that provided in the National Planning Standards and is therefore supported.	S42A Recommendation (Miscellaneous): Accept Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
<b>31.04</b>	<b>Definition</b> - maintenance (in relation to network utilities) <i>means, in relation to network utilities, any work or activity necessary to continue the operation and/or functioning of existing infrastructure. It includes the repair and/or replacement of an existing line, pipe, building, structure, road or other asset with another of the same or similar height, size, and scale within the same or similar position and for the same purpose. For the avoidance of doubt maintenance excludes upgrading, and the word ‘similar’ means ‘almost identical’.</i>	<b>Decision:</b> Support. Retain the definition <b>Reasoning:</b> Notwithstanding that the NESETA regulates maintenance associated with existing National Grid lines, the definition of maintenance is supported as it recognises activities associated with the ongoing operation of existing network utilities.	S42A Recommendation (NU): Accept Para 349. Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
<b>31.05</b>	<b>Definition</b> - minor upgrade (in relation to existing energy activities) <i>means the improvement or increase in carrying capacity, operational efficiency, security, or safety of an existing energy activity. This also includes structures and associated earthworks and site works where the effects of that activity remain the same or similar in character, intensity and scale</i>	<b>Decision:</b> Support. Retain the definition. <b>Reasoning:</b> The definition of minor upgrading is supported as it recognises activities associated with the ongoing operation of existing energy activities. It is noted the NESETA regulates maintenance associated with existing National Grid lines.	S42A Recommendation (NU): Accept Para 350. Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
<b>31.06</b>	<b>Definition</b> - National Grid <i>means the assets used or owned by Transpower NZ Limited.</i>	<b>Decision:</b> Support. Retain the definition. Capitalise the definition. <i>National Grid</i> <b>Reasoning:</b> The definition is supported on the basis it will assist with plan interpretation in providing clarity as to the assets forming part of the National Grid. Transpower’s preference is the term be capitalised so that it is readily identified as a defined term in the PDP.	S42A Recommendation (NGET): Accept  <i>87. Transpower [31.06, 31.07, 31.08] supported the retention of the National Grid, National Grid Yard and National Grid Subdivision Corridor, but sought that the first letter of each term be capitalised. I agree.</i>	The recommendation is supported as the provision is amended as sought in the Transpower submission.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
31.07	<b>Definition</b> - national grid subdivision corridor <i>means the area measured either side of the centreline of the above ground national grid line as follows:</i> <i>(a) 16m for the 110kV lines on pi poles.</i> <i>(b) 32m for the 110 kV lines on towers.</i> <i>(c) 37m for the 220 kV transmission lines.</i>	<b>Decision:</b> Support. Retain the definition of National Grid Subdivision Corridor and capitalise the definition and its use in the PDP. <i>National Grid Subdivision Corridor</i> <b>Reasoning:</b> Transpower is supportive of definitions for National Grid Subdivision Corridor (and National Grid Yard) as the provision of such definitions gives effect to the NPSET in that they clearly articulate the framework in which to give effect to the NPSET.	S42A Recommendation (NGET): Accept 87. Transpower [31.06, 31.07, 31.08] supported the retention of the National Grid, National Grid Yard and National Grid Subdivision Corridor, but sought that the first letter of each term be capitalised. I agree.	The recommendation is supported as the provision is amended as sought in the Transpower submission.
31.08	<b>Definition</b> - national grid yard <i>means the area located 12 metres in any direction from the outer edge of a national grid support structure (including where towers are replaced with tubular steel monopoles), and the area located 12 metres either side of the centreline of any overhead national grid line. The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated</i>  <p>The diagram illustrates the National Grid Yard and Subdivision Corridor. It shows a horizontal line representing the 'Centreline'. To the left of the centreline is a 'Single Concrete/Wooden Pole' with a 12m radius circle around it. To the right of the centreline are two 'Pi Pole' structures, each with a 12m radius circle around it. Further to the right is a 'Steel Tower/Pole' with a 12m radius circle around it. A vertical line labeled 'National Grid Subdivision Corridor' is shown to the right of the poles. Below the diagram, there are two footnotes: '* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line' and '** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage'.</p>	<b>Decision:</b> Support. Retain the definition of National Grid Yard, and capitalise the definition and its use in the PDP. <i>National Grid Yard</i> <b>Reasoning:</b> Transpower is supportive of definitions for National Grid Yard (and National Grid Subdivision Corridor) as the provision of such definitions give effect to the NPSET in that they clearly articulate the framework in which to give effect to the NPSET.	S42A Recommendation (NGET): Accept 87. Transpower [31.06, 31.07, 31.08] supported the retention of the National Grid, National Grid Yard and National Grid Subdivision Corridor, but sought that the first letter of each term be capitalised. I agree. 88. Horticulture NZ [27.09] sought that the definition of the National Grid Yard be reduced to 10m in any direction from a National Grid single pole or pipole. I invite Transpower NZ to respond to this submission from a technical perspective, but I consider that the national significance of the National Grid warrants a more conservative approach. Any reduction in the National Grid Yard increases risk to the efficiency and safety of the network. I therefore recommend rejecting this submission point.	The recommendation is supported as the provision is amended as sought in the Transpower submission. In particular I support the 12m setback from support structures. I have expanded on the reasoning for this in my evidence.
31.09	<b>Definition</b> - network utility operator <i>has the same meaning as in s166 of the RMA (as set out in the box below)</i> .....	<b>Decision:</b> Support. Retain the definition. <b>Reasoning:</b> The definition reflects that provided in the RMA and is therefore supported. The provision of a definition is supported in that it provides clarity for plan users.	S42A Recommendation (NU): Accept Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
31.10	<b>Definition</b> - operational need <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</i>	<b>Decision:</b> Support. Retain the definition <b>Reasoning:</b> The definition reflects that provided in the National Planning Standards and is supported.	S42A Recommendation (Miscellaneous): Accept Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
31.12	<b>Definition</b> - Transmission sensitive activity(ies) <i>means those activities that are particularly sensitive to national electricity and gas transmission activities, including but not limited to:</i> <i>(a) residential units and minor residential units, boarding houses, cohousing developments, compact housing developments, retirement villages, visitor accommodation, papakāinga units papakāinga housing developments,</i>	<b>Decision:</b> Amend. Retain the definition of Transmission sensitive activity(ies), however amend clause (f) and (h); and delete clause (l) as follows: <i>(f) Educational (including childcare) facilities.</i> <i>(h) Tourism facilities, <del>outdoor education activities and recreational hunting.</del></i> <i>(l) <del>Other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area.</del></i>	S42A Recommendation (NGET): Accept 89. Transpower NZ [31.12] sought to amend the definition to explicitly include childcare, and delete outdoor education activities and recreational hunting and other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area. I agree that these changes more accurately reflect activities that could be sensitive	The recommendation is supported. However, clarification is sought that 'Tourism facilities' should be retained as sought in the Transpower submission. It is noted the S42A report

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<p><i>residential based visitor accommodation, managed care facilities and other buildings used for residential activities.</i></p> <p><i>(b) Camping grounds.</i></p> <p><i>(c) Tiny houses and tiny house developments.</i></p> <p><i>(d) Marae complex.</i></p> <p><i>(e) Community facilities including museums and libraries.</i></p> <p><i>(f) Educational facilities.</i></p> <p><i>(g) Hospitals and healthcare facilities.</i></p> <p><i>(h) Tourism facilities, outdoor education activities and recreational hunting.</i></p> <p><i>(i) Leisure and entertainment facilities, including shopping malls, indoor fitness centres, theatres and cinemas.</i></p> <p><i>(j) Prisons.</i></p> <p><i>(k) Any building storing hazardous substances, hazardous facilities, significant hazardous facilities and infrastructure (excluding those that are ancillary to national electricity and gas transmission activities); and</i></p> <p><i>(l) Other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area.</i></p>	<p><b>Reasoning:</b> Given the context in which the definition is used, the provision of a definition for Transmission sensitive activity is supported. However, clause (l) is not considered necessary and therefore could be deleted, as are <i>outdoor education activities and recreational hunting</i> within clause (h).</p> <p>For the avoidance of doubt, an amendment is sought to clause (f) to specifically reference childcare facilities.</p>	<p><i>to transmission activities. I therefore recommend the following amendments:</i></p> <p>NB – recommended wording (par 89) includes deletion of clause (h) in its entirety. This was not sought in the Transpower submission.</p> <p>Recommended text:</p> <p><i>(f) Educational <u>(including childcare)</u> facilities.</i></p> <p>.....</p> <p><del><i>(h) Tourism facilities, outdoor education activities and recreational hunting.</i></del></p> <p>.....</p> <p><del><i>(l) Other venues or areas where larger numbers of people are intermittent and in larger numbers than the general location or area.</i></del></p>	<p>reasoning at paragraph 89 makes no reference to deleting ‘Tourism facilities’.</p> <p>Refer evidence.</p>
31.13	Definition - New definition - Reverse Sensitivity	<p><b>Decision:</b> Amend. Insert a definition as follows:</p> <p><u><i>means the potential for an approved, existing or permitted activity to be compromised or constrained, by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by the approved, existing or permitted activity.</i></u></p> <p><b>Reasoning:</b> On the basis the term is used within the National Electricity and Gas Transmission Chapter 18, the provision of a definition is sought to assist with plan interpretation. The concept recognises the relationship between existing activities and incompatible new or altered activities.</p>	<p>S42A Recommendation (Miscellaneous): Accept in part</p> <p><b>Reasoning:</b> It is recommended that a definition is included however the preference is to rely on the definition contained in the WRPS. It is appropriate to give effect to this document and its provisions, including through the use of definitions.</p> <p>A new definition is proposed as follows:</p> <p><i>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</i></p>	<p>Accept the recommendation on the basis it give effect to the intent of the Transpower submission.</p>
31.14	Definition - New Definition – Transmission line	<p><b>Decision:</b> Amend. Insert a definition as follows:</p> <p><u><i>Transmission line: has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</i></u></p> <p><b>Reasoning:</b> The term ‘transmission line’ is used across the plan in multiple policies and matters of discretion and rules. Given the importance of the term, the provision of a definition would assist with plan interpretation.</p>	<p>S42A Recommendation (NU): Accept</p> <p>352. Transpower NZ [31.14] sought inclusion of a new definition. I agree that it aids interpretation and recommend the following:</p> <p><u><i>Transmission line has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</i></u></p>	<p>The recommendation is supported as the provision is amended as sought, noting the term is used in context of existing lines (which are subject to the NPSET) and not substations.</p>
National Direction Instruments				
12. National policy statement and New Zealand Coastal Policy Statement				



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
31.15	<b>National Policy Statement on Electricity Transmission 2008</b> <i>The policy statement has been reviewed in March 2022. Its provisions are given effect to across the plan but specifically within the following chapters: National Electricity and Gas Transmission, network utilities, energy.</i>	<b>Decision:</b> Support. Retain the reference. <b>Reasoning:</b> Transpower supports reference to National Policy Statements, and specifically the inclusion of reference to the National Policy Statement for Electricity Transmission 2008. The reference to the March 2022 review gives effect to Chapter 6, Standard 17(c) of the National Planning Standards.	S42A Recommendation (Miscellaneous): Accept Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
<b>13. National environmental standards</b>				
31.16	<b>National Environmental Standards</b> <i>National Environmental Standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities.</i> <i>The following NESs are currently in force:</i> ... <ul style="list-style-type: none"> <li>Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</li> </ul>	<b>Decision:</b> Amend. Retain, with amendment as outlined below: <i>National Environmental Standards (NESs) are prepared by ..... NESs must be observed and enforced by local authorities. <u>The relationship between the NES and the district plan rules are prescribed in the NES itself and the RMA.</u></i> <i>The following NESs are currently in force:</i> ... <ul style="list-style-type: none"> <li>Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations <del>2016</del> <u>2009</u></li> </ul> <b>Reasoning:</b> Transpower supports reference to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, noting the NES prevails over the district plan provisions. The text could be improved by clarification as to the relationship between the NES and the district plan rules. The date of the NESETA also requires correction from 2016 to 2009.	S42A Recommendation (Miscellaneous): Accept 33. <i>It is recommended that the request to include reference to the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 should be accepted.</i> The provision is amended as follows: <i>National Environmental Standards</i> <i>National Environmental Standards (NES) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NES must be observed and enforced by local authorities. <u>The relationship between the NES and the district plan rules are prescribed in the NES itself and the RMA.</u></i> <i>The following applicable NES are currently in force:</i>	The recommendation is supported as the provision is amended as sought.
<b>Strategic Direction</b>				
<b>16. Strategic direction, urban form and developmenThe</b>				
31.17	<b>Overview</b> <i>The objectives in this chapter have the same status as all other objectives in the plan but provide strategic guidance across the district.</i>	<b>Decision:</b> Amend. Amend the introductory text as follows: <b>Overview</b> <i>The objectives in this chapter <del>have the same status as all other objectives in the plan but</del> provide strategic guidance across the district</i> <b>Reasoning:</b> Transpower does not support the comment that the strategic objectives have the same status as other objectives given the high-level nature of the strategic objectives and that not all issues are addressed at the strategic objective level. .	S42A Recommendation (Strategic Direction): Reject 41. <i>The status of the objectives in this chapter is a critical issue for the plan. There is an awareness that there have been significant issues in other plans about the status of the policy framework in regard to the strategic direction chapter. The decision was made during drafting that overarching direction was to be provided but this was in place to guide the development of more specific policies, and to sit as a companion to these policies. In fact, the objectives were agreed with the Council in the form of key issues early in the drafting phase. The objectives are not designed as part of a policy hierarchy that prevails over the chapters.</i> 42. <i>For completeness, the National Planning Standards do not require the strategic direction objectives to take precedence over other policy direction in the plan.</i>	The recommendation is accepted on the basis of the provided reasoning.
31.18	<b>SD-O16.</b> <i>The district's communities work towards reduced reliance on non-renewable sources of energy, increased use of renewable energy sources and greater energy conservation.</i>	<b>Decision:</b> Support. Retain the Strategic Objective <b>Reasoning:</b> Transpower supports the provision of a strategic objective specific to renewable energy and energy conservation.	S42A Recommendation (Strategic Direction): Accept Objective not discussed in the S42A report (see Section 4, Topic 1, para 14 onwards). However the recommendation is to retain the objective.	The recommendation is supported as the provision is retained as notified.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
31.19	<b>SD-O30.</b> <i>Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</i>	<p><b>Decision:</b> Support. Retain the Strategic Objective</p> <p><b>Reasoning:</b> Transpower supports the provision of a specific strategic objective that recognises and provides for infrastructure, and specifically that of national and regional significance.</p>	<p>S42A Recommendation (Strategic Direction): Reject</p> <p>The Transpower submission is not specifically addressed in the context of submissions on the objective as a whole.</p> <p>The Officer recommends (pg 14/15) that the objective is amended in response to other submissions made:</p> <p><i><u>SD-OX Recognise and provide for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources, <b>by recognising their functional, locational and operational needs and managing reverse sensitivity effects which may impact their operation</b></u></i>.</p>	<p>Support in part. While I support the recommended amendment to refer to functional, operation and location needs, the reference to reverse sensitivity is opposed as the text does not recognise that there may be other effects that may compromise significant infrastructure. The recommendation does also not reflect the relief sought in the submission.</p> <p>Refer hearing evidence.</p>
<b>Energy, Infrastructure and Transport</b>				
<b>17. Energy</b>				
31.20	General Comment – Chapter 17. Energy, Infrastructure and Transport	<p><b>Decision:</b> Amend. Amend Chapter 17 to appropriately recognise and provide for renewable generation activities in support of Strategic Direction SD-016.</p> <p><b>Reasoning:</b> While Chapter 17 is not directly applicable to Transpower, it is of relevance given it relates to energy generation which will play a critical role in New Zealand’s carbon zero commitment and mitigating the effects of climate change.</p> <p>Transpower is supportive of the policy approach to increasing the security of energy supply but has concerns with rules which provide a prohibitive or non-complying activity status.</p>	<p>S42A Recommendation (Energy): Accept in part</p> <p><i>33. Transpower NZ Ltd [31.20] sought amendments that appropriately recognise and provide for renewable generation activities in support of Strategic Direction SD-016.</i></p> <p><i>34. This submission appears to be broad, with no specific relief sought. Given that I have recommended amendments in response to other submissions, I recommend accepting in part this submission. However, I invite Transpower to produce evidence if it considers that the amended chapter does not deliver on the strategic direction of SD-016.</i></p> <p>Amendments have been made to the chapter in response to other submissions.</p>	The recommendation is accepted.
<b>18. National Electricity and Gas Transmission</b>				
31.21	General Comment – Chapter 18. National Electricity and Gas Transmission	<p><b>Decision:</b> Support. Retain Chapter 18. <i>National Electricity and Gas Transmission</i> subject to the amendments outlined in subsequent submission points.</p> <p><b>Reasoning:</b> Chapter 18. National Electricity and Gas Transmission relates to activities undertaken by other parties within the National Grid Yard. Transpower is</p>	<p>S42A Recommendation (NGET): Accept in part</p> <p><i>39. In regards to general comments, Transpower [31.21], Federated Farmers of New Zealand (Federated Farmers)[46.19] and Royal Forest and Bird Protection Society of New Zealand</i></p>	The recommendation is accepted subject to the relief sought in other submission

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		generally supportive of the chapter, and in particular supports the location of the policies and rules within one chapter. Such an approach provides clarity for plan users and provides a clear link between the policy and rule framework. Transpower also supports the separate policy and rule framework for the National Grid transmission network given it is recognised to be of national significance through the NPSET.	<i>(Forest and Bird) [47.41] sought the retention of Chapter 18 subject to amendments outlined in subsequent submission points. I have recommended amendments in response to other submissions, and for this reason I recommend accepting in part these submission points.</i>	points and outlined in evidence.
31.22	<p><b>Overview</b></p> <p><i>Parts of the nationwide electricity and gas transmission network are located within Waitomo district. These networks perform a critical function and are integral to the effective and efficient operation of New Zealand's economy as well as making a vital contribution to community health and safety. The provisions of this chapter manage activities near these networks.</i></p> <p><i>How land is used within and adjacent to these corridors can significantly affect network operation, maintenance, and access. These networks can be sensitive to a range of actual and potential effects generated by adjacent activities. Conversely, locating some activities within close proximity to these corridors must be avoided to minimise risks to people's health and safety. There are three Sites or Areas of Significance to Māori and one site zoned Māori Purpose Zone that is on land within the identified corridors. Provisions have been added to this Chapter to ensure activities in these locations are not unintentionally restricted.</i></p> <p><i>The National Policy Statement on Electricity Transmission 2008 recognises the national significance of the electricity transmission system. It requires, to the extent possible, the management of adverse effects on the network from other activities. Although there is no national policy statement specific to the gas transmission network, this plan recognises these assets as having similar values, a similar linear extent and performing a similar function.</i></p> <p><i>Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy for the Waikato River 2010 is a significant document for part of the district. Reference to the Strategic directions sections of this plan is required in respect of this matter. Ko Tā Maniapoto Mahere Taiao Environmental Management Plan 2018 and Waikato-Tainui Environmental Management Plan 2013 also contain directions and outcomes to be achieved in respect of the provision of infrastructure. Applicants are directed to these documents when planning or undertaking works within the district.</i></p> <p><i>Subdivision proximal to these networks is managed in the subdivision chapter. The provisions of the network utilities</i></p>	<p><b>Decision:</b> Amend. Amend paragraph two of the overview text as follows: (refer red text)</p> <p><i>How land is used within and adjacent to these corridors can significantly affect network operation, maintenance, and access. These networks can be sensitive to a range of actual and potential effects generated by adjacent activities. Conversely, locating some activities within close proximity to these corridors must be avoided to minimise risks to people's health and safety. There are three Sites or Areas of Significance to Māori and one site zoned Māori Purpose Zone that is on land within the identified <u>gas transmission</u> corridors. Provisions have been added to this Chapter to ensure activities in these locations are not unintentionally restricted.</i></p> <p><b>Reasoning:</b> Chapter 18. <i>National Electricity and Gas Transmission</i> relates to activities undertaken by other parties within the National Grid Yard.</p> <p>Transpower supports the overview text but does not support the exemption for Sites or Areas of Significance to Māori from the earthworks rules. The purpose of the National Grid Yard earthworks rules are to manage activities within proximity of the National Grid to ensure activities do not endanger people, property and/or National Grid assets. While Transpower appreciates and respects the cultural use and values of the site, the risk from earthworks remains regardless of the purpose of the activity or who it is undertaken by. It is also noted the provisions reflect the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), which are required to be complied with.</p> <p>Transpower seeks to work proactivity with the community when activities are proposed if resource consent is required.</p>	<p>S42A Recommendation (NGET): Accept</p> <p>Para 72: This is considered in the context of changes sought to NEG-T – R1 (31.28). Officer agrees with recommendation on the basis of reasons outlined in 31.28.</p> <p>Recommended change:</p> <p>(i) Inclusion of reference to gas corridors as requested</p>	The recommendation is supported as the overview is amended as sought by Transpower.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<i>chapter manage the operation, maintenance, replacement, upgrading and development of these assets.</i>			
31.23	<b>Objective - NEG-T-01</b> <i>The national significance and benefits of the National Grid are recognised and provided for, and the National Grid is protected from other activities.</i>	<b>Decision:</b> Support. Retain NEG-T-01  <b>Reasoning:</b> Transpower supports the objective. The reference to ‘recognised and provided for’ gives effect to Policy 1 of the NPSET. The requirement that the grid be protected from other activities gives effect to policies 10 and 11 of the NPSET, noting that more specific and directive wording that reflects the NPSET is provided within the associated policies NEG-T-P1, P2 and P4.	<p>S42A Recommendation (NGET): Accept in part</p> <p>47. Transpower [31.23] sought that the objective be retained. The submission considered that the requirement that the grid be protected from other activities gives effect to policies 10 and 11 of the NPSET, noting that more specific and directive wording that reflects the NPSET is provided within the associated policies NEG-T-P1, P2 and P4. In contrast, Horticulture NZ [27.28] sought that the objective be amended to be consistent with the wording of the NPSET. The submission considered that the absolute wording of “protected from” is not used in the NPSET, rather the focus of the wording is on recognising and providing for the National Grid and managing activities in proximity to the line.</p> <p>48. I agree that the NPSET does not refer to “protection”. Policy 10 of the NPSET requires decision-makers to the extent reasonably possible “manage” activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised. Although the effect of “managing” activities could be tantamount to protection. RPS Policy EIT-P1 requires: Management of the built environment ensures particular regard is given to: 1. that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected;</p> <p>49. I agree that the wording of NEG-T-01 is inconsistent with the NPSET but the PDP also need to give effect to the RPS. RPS EIT-P1 requires the effectiveness and efficiency of the regionally significant infrastructure to be protected. The amendment sought by Horticulture NZ creates a gap whereby the avoidance of reverse sensitivity is not addressed (as required by Policy 10 of the NPSET). I therefore recommend the following amendments to NEG-T-01, and the submission point from Transpower [31.23] and Horticulture NZ [27.28] are accepted in part accordingly:</p> <p>NEG-T-01 The national significance and benefits of the national grid are recognised, <u>protected</u> and provided for, <del>and the national grid is protected from other activities.</del></p> <p>50. This approach leaves the policies and rules to manage activities to the extent reasonably possible to avoid reverse sensitivity effects on the electricity transmission network, which is the language used in NPSET Policy 10.</p>	The recommendation is supported as it reflects that sought in the Transpower submission, and gives effect to the NPSET.
31.24	<b>Policies - NEG-T-P1</b> <i>Within the National Grid Yard avoid the establishment or expansion of transmission sensitive activities and buildings or structures used for these purposes in order to:</i>	<b>Decision:</b> Support. Retain NEG-T-P1  <b>Reasoning:</b> Transpower supports the policy on the basis it gives effect to policies 10 and 11 of the NPSET.	<p>S42A Recommendation (NGET): Accept</p> <p>59. Transpower [31.24] sought that the policy be retained. Horticulture NZ [27.30] supported managing transmission sensitive activities but considered that the word ‘protect’ in NEG-T-P1(1) should not be included in the policy as it is inconsistent with</p>	The recommendation is supported. I accept clause 1. is uncertain and I consider the remaining clauses give



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	<p>1. Protect the national significance of the National Grid; and</p> <p>2. Avoid the potential for reserve sensitivity effects on the National Grid; and</p> <p>3. Reduce exposure to health and safety risks; and</p> <p>4. Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the National Grid is not compromised.</p>		<p>the NPSET. As noted above, Horticulture NZ is correct in that the NPSET does not use the word ‘protect’, however RPS policy EIT-P1 seeks to manage the built environment to protect the effectiveness and efficiency of regionally significant infrastructure.</p> <p>60. The purpose of NEG-T-P1 is to provide strong direction that activities that are likely to compromise the National Grid are unlikely to be acceptable. Looking more critically at the policy, when faced with a resource consent application, I am not certain how the national significance of the National Grid would be protected as required by clause (1). It is more logical and aligned with both the NPSET and RPS to “recognise” the national significance of the National Grid through objectives, and I have recommended amendments to NEG-T-O1 accordingly.</p> <p>Recommended wording:</p> <p>Within the <del>N</del>aational <del>G</del>grid yard avoid the establishment or expansion of transmission sensitive activities and buildings or structures used for these purposes in order to:</p> <p>1. <del>Protect the national significance of the National Grid; and</del> 2</p> <p>1. Avoid the potential for reserve sensitivity effects on the National Grid; and</p> <p><del>3-2.</del> Reduce exposure to health and safety risks; and</p> <p><del>4-3.</del> Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the national grid is not compromised.</p>	effect to the NPSET, in particular policies 10 and 11.
31.25	<p><b>Policies - NEG-T-P2</b></p> <p>Manage activities, buildings, structures and earthworks for any other activity within the National Grid Yard to:</p> <p>1. Ensure the safe and efficient operation, maintenance, repair, upgrading or development of the National Grid is not compromised; and</p> <p>2. Provide security of supply and/or integrity of National Grid assets; and</p> <p>3. Maintain ongoing access to conductors and support structures for maintenance and upgrading works; and</p> <p>4. Manage all activities to avoid exposure to health and safety risks from the National Grid; and</p> <p>5. Avoid potential for reverse sensitivity effects on the National Grid.</p>	<p><b>Decision:</b> Amend. Retain Policy NEG-T-P2 with a minor amendment to reference compliance with NZECP34:2001 as follows: (refer red text)</p> <p>NEG-T-P2</p> <p>Manage activities, buildings, structures and earthworks for any other activity within the National Grid Yard to:</p> <p>1. Ensure the safe and efficient operation, maintenance, repair, upgrading or development of the National Grid is not compromised; and</p> <p>2. Provide security of supply and/or integrity of National Grid assets; and</p> <p>3. Maintain ongoing access to conductors and support structures for maintenance and upgrading works; and</p> <p>4. Manage all activities to avoid exposure to health and safety risks from the National Grid; and</p> <p>5. Avoid potential for reverse sensitivity effects on the National Grid; <u>and</u></p> <p><u>6. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</u></p> <p><b>Reasoning:</b> Transpower supports the policy on the basis it gives effect to policies 10 and 11 of the NPSET. For completeness a minor amendment is sought to reference compliance with NZECP34:2001.</p>	<p>S42A Recommendation (NET): Accept</p> <p>61. Policy NEG-T-P2 is a complementary policy to NEG-T-P1 and focuses on any other activity not covered by NEG-T-P1. That is, activities, buildings, structures and earthworks for any other activity within the National Grid yard. While New Zealand NZ Helicopter Association [02.13] supported retaining the policy as notified, Horticulture NZ [27.31] sought the addition of “to the extent reasonably possible” to NEG-T-P2(5) to be consistent with the NPSET. Transpower [31.25] sought to add another clause to the policy to require compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p> <p>62. Policy 10 of the NPSET tempers the requirement to avoid reverse sensitivity effects with the words “to the extent reasonably possible”. The word “avoid” is absolute and this is emphasised in the King Salmon1 decision that “avoid means avoid” where that term is used in planning instruments. I agree with Horticulture NZ that the wording as drafted is inconsistent with the NPSET and an amendment to maintain consistency</p>	<p>The recommendation is supported, on the basis the remaining clauses are retained.</p> <p>I accept that the recommended wording for clause 5. reflects Policy 10 of the NPSET.</p>



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			<p>between documents is appropriate. I recommend that Policy NEG-T-P2 be amended as set out below.</p> <p>63. Transpower [31.25] supported the policy on the basis it gives effect to policies 10 and 11 of the NPSET. For completeness, it sought an additional clause to recognise the NZECP 34:2001 New Zealand Electrical Code for Practice for Electrical Safe Distances 2001. The NZECP sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. These safe distances have been set to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards. I consider the inclusion of the reference to the NZECP 34:2001 in NEG-T-P2 is appropriate.</p> <p>Recommended wording:</p> <p>Manage activities, buildings, structures and earthworks for any other activity within the national grid yard to: ...</p> <p>5. Avoid, <u>to the extent reasonably possible, the</u> potential for reverse sensitivity effects on the national grid.</p> <p><u>6. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</u></p>	
31.26	<b>Policies - NEG-T-P6</b> <i>Manage the use of explosives in proximity to the gas transmission network and hazardous substances in proximity to the National Grid Yard, in order to avoid the potential for high-risk events which would impact people's health and safety, cause property damage and disruption to supply.</i>	<b>Decision:</b> Support. Retain Policy NEG-T-P6 <b>Reasoning:</b> Transpower supports the policy on the basis it gives effect to policies 10 and 11 of the NPSET.	S42A Recommendation (NGET): Accept The policy is retained as notified.	The recommendation is supported given the policy is retained as notified.
31.27	<b>Rules - The rules in NEG-T - Table 1 apply within the National Grid Yard and within specified distances from the gas transmission pipelines and network. To undertake any activity, it must comply with all the rules listed in:</b> <ul style="list-style-type: none"> <li>• NEG-T - Table 1 - Activities Rules; and</li> <li>• Any relevant provision in Part 2 District-Wide Matters; and</li> <li>• Any relevant provision in Part 3 Area Specific Matters;</li> </ul>	<b>Decision:</b> Support. Retain introductory text to the rules. <b>Reasoning:</b> Transpower supports the clarification note.	S42A Recommendation (NGET): Accept The introductory text to the rules is retained as notified.	The recommendation is supported given the introductory text is retained as notified.
31.28	<b>Rules - NEG-T-R1. Earthworks, vertical holes or land disturbance within the National Grid Yard</b> Activity status: PER Where: 1. Earthworks, vertical holes or land disturbance within the National Grid Yard must not:	<b>Decision:</b> Amend. Amend Rule NEG-T-R1 as follows: NEG-T-R1. Earthworks, vertical holes or land disturbance within the National Grid Yard Activity status: PER Where: 1. Earthworks, vertical holes or land disturbance within the National Grid Yard must not:	S42A Recommendation (NGET): Accept 69. Horticulture NZ [27.35] sought a change in activity status for NEG-T-R1 upon non-compliance with the standards. As notified, the activity cascades to non-complying, but Horticulture NZ sought this be restricted discretionary instead. I partially agree with Horticulture NZ in that noncomplying is a stringent activity status, but there are extremely important standards in NEG-T-R1 such as clause (1)(c) which requires earthworks, vertical holes or land disturbance to not compromise the stability of any National	The recommendation is accepted. While the activity status in part differs from that notified, the recommendation is accepted on the following basis:

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	<p>(i) Exceed 300 mm depth within 6m of the outer edge of the visible foundation of any National Grid support structure; and</p> <p>(ii) Exceed 3 m depth where located between 6m and 12 m of the outer edge of the visible foundation of any National Grid support structure; and</p> <p>(iii) Compromise the stability of any National Grid support structure; and</p> <p>(iv) Permanently physically impede existing vehicular access to any National Grid support structure; and</p> <p>(v) Result in a reduction of the existing ground to conductor clearances as required in Table 4 of the NZECP;</p> <p>AND</p> <p>2. NEG-T-R1(i) and (ii) do not apply to the following earthworks, vertical holes or land disturbance:</p> <p>(i) Earthworks undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes). See the network utilities chapter for earthwork provisions; and</p> <p>(ii) Earthworks undertaken for cultivation or repair or sealing of a road, pedestrian accessways, walkways, cycleways, driveways or farm tracks; and</p> <p>(iii) Vertical holes not exceeding 500 mm in diameter that are located at least 1.5 m from the outer edge of a National Grid pole or stay wire, or are a post hole for a farm fence or horticulture structure more than 6 m from the visible outer edge of a National Grid tower foundation; or</p> <p>(iv) Earthworks subject to a dispensation from Transpower New Zealand Limited under the NZECP.</p> <p><i>Nothing in this rule shall limit Māori cultural and customary uses and burials in sites or areas of significance to Māori or in the Māori purpose zones identified on the planning maps.</i></p> <p><i>Activity status where compliance is not achieved: NC</i></p> <p><i>Note: This rule prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i></p> <p><i>Note: Transpower New Zealand Ltd will be considered an affected party in accordance with section 95E of the Act.</i></p>	<p>.....</p> <p><del>Nothing in this rule shall limit Māori cultural and customary uses and burials in sites or areas of significance to Māori or in the Māori purpose zones identified on the planning maps.</del></p> <p>Activity status where compliance is not achieved: NC</p> <p>Note: This rule prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p>Note: Transpower New Zealand Ltd will be considered an affected party in accordance with section 95E of the Act.</p> <p><b>Reasoning:</b> Specific to earthworks, Transpower supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. Specifically, earthworks restrictions are supported as earthworks have the potential to undermine transmission line structures, generate dust, and reduce the clearances between the ground and conductors. They also have the potential to restrict Transpower’s ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line.</p> <p>The default non-complying activity status reflects the non-compliance with NZECP 34:2001. A non-complying activity status is also considered the most effective means of giving effect to the NPSET’s objective of managing the adverse effects of other activities on the network. In particular, a non-complying activity status:</p> <ol style="list-style-type: none"> <li>Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2;</li> <li>Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10.</li> </ol> <p>The NPSET provides a strong direction that cannot be achieved by use of the restricted discretionary activity status. Such policy direction can only be achieved by way of a non-complying activity status.</p> <p>Notwithstanding the above support, Transpower seeks removal of the exemption clause at the end of the rule (relating to Sites or areas of significance to Māori. The purpose of the National Grid Yard earthworks rules are to manage activities within proximity of the National Grid to ensure activities do not endanger people, property and/or National Grid assets. While Transpower appreciates and respects the cultural use and values of the site, the risk from earthworks remains regardless of the purpose of the activity or who it is undertaken by. It is also noted the provisions reflect the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), which are required to be complied with. NZECP34:2001 manages earthworks in relation to safety and does not manage the adverse effects of earthworks on the grid.</p> <p>Transpower seeks to work proactivity with the parties when activities are proposed if resource consent is required.</p>	<p>Grid support structure. For non-compliance with standards such as that, I consider a non-complying activity to be appropriate. There are other standards in NEG-T-R1 which could be appropriate for a more lenient activity status, so I recommend a more nuanced activity status cascade the rule where non-compliance with either NEG-T-R1(1)(i) or NEG-T-R1(1)(ii) is a restricted discretionary activity, but all other standards remain a non-complying activity.</p> <p>70. As notified, NEG-T-R1(2) sets out activities that are exempt from needing to comply with the standards set out in NEG-T-R1(1). Earthworks for reticulation and storage of water for irrigation purposes is not exempt from the earthworks standards, but Horticulture NZ sought amendments which would exempt those activities. Horticulture NZ sought similar amendments to NEG-T-R2. I do not support making these activities exempt as there is the potential for earthworks (and the structures) associated with these activities to compromise the safety and security of the National Grid.</p> <p>71. Transpower [31.28] lodged a submission to NEG-T-R1 seeking removal of the exemption clause at the end of rule NEG-T-R1. This note effectively exempts Māori cultural and customary uses and burials in sites or areas of significance to Māori or in the Māori purpose zones identified on the planning maps from needing to comply with the standards. The purpose of NEG-T-R1 is to manage risk to the security of the National Grid as well as safety of people and property. While I appreciate that the standards for earthworks may constrain earthworks undertaken by Māori, the safety of people must be paramount. I agree with Transpower that earthworks rules within the National Grid Yard are to manage activities to ensure activities do not endanger, people, property and/or National Grid Assets and that the provisions reflect the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). I also agree that the risk from earthworks remains regardless of the purpose of the activity or who it is undertaken by.</p> <p>72. Transpower [31.22] also sought amendments to the Overview section which will be required as a consequence of this amendment. Paragraph 2 of the Overview states that there are three Sites or Areas of Significance to Māori and one site zoned Māori Purpose Zone that is on land within the identified corridors. Provisions have been added to this Chapter to ensure activities in these locations are not unintentionally restricted. Transpower sought that this be narrowed to only apply to gas transmission corridors and I agree.</p> <p>73. I therefore recommend that the following note be deleted from NEG-T-R1: Nothing in this rule shall limit Māori cultural and customary uses and burials in sites or areas of significance to</p>	<ul style="list-style-type: none"> <li>- The differentiation between standards in relation to activity status reflects that in NZECP in relation to ‘eligibility’ for a dispensation.</li> <li>- The land use rule R2 and recommended subdivision rule SUB-RX each contain a standard that physical access to support structures is to be maintained.</li> <li>- The National Grid does not currently traverse any urban areas and therefore there are likely more options in terms of where earthworks can take place.</li> </ul>

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			<p><i>Māori or in the Māori purpose zones identified on the planning maps.</i></p> <p><b>Rules - NEG-T-R1. Earthworks, vertical holes or land disturbance within the National Grid Yard</b></p> <p>Activity status: PER</p> <p>Where:</p> <p>1. Earthworks, vertical holes or land disturbance within the National Grid Yard must not:</p> <ul style="list-style-type: none"> <li>(vi) Exceed 300 mm depth within 6m of the outer edge of the visible foundation of any National Grid support structure; and</li> <li>(vii) Exceed 3 m depth where located between 6m and 12 m of the outer edge of the visible foundation of any National Grid support structure; and</li> <li>(viii) Compromise the stability of any National Grid support structure; and</li> <li>(ix) Permanently physically impede existing vehicular access to any National Grid support structure; and</li> <li>(x) Result in a reduction of the existing ground to conductor clearances as required in Table 4 of the NZECP;</li> </ul> <p>AND</p> <p>2. NEG-T-R1(i) and (ii) do not apply to the following earthworks, vertical holes or land disturbance:</p> <ul style="list-style-type: none"> <li>(v) Earthworks undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes). See the network utilities chapter for earthwork provisions; and</li> <li>(vi) Earthworks undertaken for cultivation or repair or sealing of a road, pedestrian accessways, walkways, cycleways, driveways or farm tracks; and</li> <li>(vii) Vertical holes not exceeding 500 mm in diameter that are located at least 1.5 m from the outer edge of a National Grid pole or stay wire, or are a post hole for a farm fence or horticulture structure more than 6 m from the visible outer edge of a National Grid tower foundation; or</li> <li>(viii) Earthworks subject to a dispensation from Transpower New Zealand Limited under the NZECP.</li> </ul> <p><i>Nothing in this rule shall limit Māori cultural and customary uses and burials in sites or areas of significance to Māori or in the Māori purpose zones identified on the planning maps.</i></p> <p><i>Activity status where compliance is not achieved: NC</i></p>	



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			<p>Note: This rule prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p>Activity status where compliance <u>with Rule NEG-T-R1.1(i) or NEG-T-R1.1(ii)</u> is not achieved: <u>RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p><u>(a) Impacts on the operation, maintenance, upgrading and development of the National Grid;</u></p> <p><u>(b) The risk to the structural integrity of the affected National Grid support structure(s);</u></p> <p><u>(c) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;</u></p> <p><u>(d) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</u></p> <p><u>(e) Technical advice provided by the National Grid owner (Transpower NZ Ltd); and</u></p> <p><u>(f) Any effects on National Grid support structures including the creation of an unstable batter.</u></p> <p>Activity status where compliance is not achieved <u>with Rules NEG-T-R1(1)(iii), NEG-T-R1(1)(iv) or NEG-T-R1(1)(v): NC</u></p>	
31.29	<p><b>Rules - NEG-T-R2. Buildings and Structures within the National Grid Yard</b></p> <p>Activity status: <i>PER</i></p> <p>Where:</p> <p>1. The following building and structures are permitted within the National Grid Yard:</p> <ul style="list-style-type: none"> <li>(i) Non-habitable buildings or structures for farming activities (excluding intensive indoor primary production, commercial greenhouses, milking sheds and buildings storing hazardous substances); and</li> <li>(ii) Ancillary stockyards and platforms, including those associated with milking sheds; and</li> <li>(iii) Artificial screens and fences no more than 2.5 m in height as measured from ground level, where these are located at least 5 m from the outer visible edge of any National Grid support structure; and</li> <li>(iv) Artificial crop protection structures or crop support structures not exceeding 2.5 m in height where located at least 8m from a National Grid transmission line pole that:</li> </ul>	<p><b>Decision:</b> Amend. Amend Rule NEG-T-R2</p> <p><b>NEG-T-R2. Buildings structures within the National Grid Yard</b></p> <p><b>Activity status:</b> <i>PER</i></p> <p><b>Where:</b></p> <p>1. The following building and structures are permitted within the National Grid Yard:</p> <ul style="list-style-type: none"> <li>(i) Non-habitable buildings or structures for farming activities (excluding intensive indoor primary production, commercial greenhouses, milking sheds and buildings storing hazardous substances); and</li> <li>(ii) Ancillary stockyards and platforms, including those associated with milking sheds; and</li> <li>(iii) Artificial screens and fences no more than 2.5 m in height as measured from ground level, where these are located at least 5 m from the outer visible edge of any National Grid support structure; and</li> <li>(iv) Artificial crop protection structures or crop support structures not exceeding 2.5 m in height where located at least 8m from a National Grid transmission line pole that: <ul style="list-style-type: none"> <li>i. Is removable or temporary to allow a clear working space of 12 m; and</li> <li>ii. Allows all weather access to the pole and a sufficient area for maintenance equipment including a crane; and</li> </ul> </li> <li>(v) Where undertaken by a network utility operator, infrastructure (other than for the reticulation and storage of water for irrigation purposes)</li> </ul>	<p>S42A Recommendation (NGET): Accept in part</p> <p>75. Turning to NEG-T-R2, Horticulture NZ [27.36] sought an additional clause to NEG-T-R2(1) which would allow a building or structure as a permitted activity where Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001. There may be scenarios where a building or structure is complying with NZECP 34:2001, but still infringes the National Grid yard in the PDP. For this reason, I recommend rejecting the submission point.</p> <p>76. Transpower [31.29] sought to delete NEG-T-R2(3) and replace with a noncomplying rule to make it clear that handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020 Regulations 2001) with explosive or flammable intrinsic properties is a non-complying activity. It is noted that any building storing hazardous substances, hazardous facilities, significant hazardous facilities and infrastructure falls under the PDP definition of “transmission sensitive activities”, and therefore is managed by Rule NEG-T-R3. I consider that NEG-T-R2(3) is confusing and should be deleted, but I do not see the need for this matter to be addressed at all in NEG-T-R2 given that it is already captured by NEG-T-R3.</p> <p>77. Transpower also noted that there is no catchall rule in NEG-T-R2 for buildings or structure not otherwise provided for. I agree</p>	<p>The recommendation is supported.</p> <p>While some specific elements differ from that sought by Transpower, the intent of the relief is achieved, particularly given the retention of rule NEG-T-R3 relating to transmission sensitive activities.</p>

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<p>i. Is removable or temporary to allow a clear working space of 12 m; and</p> <p>ii. Allows all weather access to the pole and a sufficient area for maintenance equipment including a crane; and</p> <p>(v) Where undertaken by a network utility operator, infrastructure (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure that connects to the National Grid. See the network utilities chapter;</p> <p>AND</p> <p>2. All buildings and structures listed in NEG-T-R2.1 must comply with the following:</p> <p>(i) Except for NEG-T-R2.1 (iii), (iv) and (v), no building or structure must be located closer than 12 m from the outer visible foundation of any National Grid support structure); and</p> <p>(ii) No building or structure may permanently physically impede existing vehicular access to any National Grid support structure; and</p> <p>(iii) All buildings and structures must comply with the NZECP under all National Grid transmission line operating conditions.</p> <p>AND</p> <p>3. For the avoidance of doubt, any building or structure used for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020 Regulations 2001) with explosive or flammable intrinsic properties is a non-complying activity, except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities.</p> <p>Activity status where compliance is not achieved: NC</p> <p>Note: Transpower New Zealand Ltd will be considered an affected party in accordance with section 95E of the Act.</p> <p>Note: NZECP is mandatory under the Electricity Act 1992. All activities regulated by NZECP, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the Plan</p>	<p>or any part of electricity infrastructure that connects to the National Grid. See the network utilities chapter;</p> <p>AND</p> <p>2. All buildings and structures listed in NEG-T-R2.1 must comply with the following:</p> <p>(i) Except for NEG-T-R2.1 (iii), (iv) and (v), no building or structure must be located closer than 12 m from the outer visible foundation of any National Grid support structure); and</p> <p>(ii) No building or structure may permanently physically impede existing vehicular access to any National Grid support structure; and</p> <p>(iii) Buildings and structures must comply with the NZECP under all National Grid transmission line operating conditions.</p> <p>AND</p> <p><del>3. For the avoidance of doubt, any building or structure used for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020 Regulations 2001) with explosive or flammable intrinsic properties is a non-complying activity, except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities.</del></p> <p><b>3. Activity status: <u>NC where compliance is not achieved: NC</u></b></p> <p><b>Where:</b></p> <p>(i) <u>Compliance with NEG-T-R2.1 and NEG-T-R2.2 is not achieved</u></p> <p>(ii) <u>The building or structure within the National Grid Yard is used for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities);</u></p> <p>(iii) <u>The building or structure proposed within the National Grid Yard is a wintering barn, commercial greenhouse, immovable protection canopy, produce packing facility or milking shed;</u></p> <p>(iv) <u>The proposal is for any building or structure not otherwise provided for.</u></p> <p>Note: Transpower New Zealand Ltd will be considered an affected party in accordance with section 95E of the Act.</p> <p>Note: NZECP is mandatory under the Electricity Act 1992. All activities regulated by NZECP, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the Plan</p> <p><b>Reasoning:</b> Transpower supports NEG-T-R2 on the basis it gives effect to Policy 10 and Policy 11 of the NPSET.</p> <p>In addition to the health and safety issues of activities locating within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/ operators request a Council to impose constraints on existing infrastructure to manage effects such as</p>	<p>that the inclusion of a non-complying catchall activity will improve the clarity of the rule. Transpower sought inclusion of a new non-complying rule in NEG-T-R2 relating to high intensity rural activities such as a wintering barn, commercial greenhouse, immovable protection canopy, produce packing facility or milking shed. I agree. This activity cascade will be made clearer by the recommended new rule.</p> <p>Recommended wording:</p> <p>.....</p> <p><del>3. For the avoidance of doubt, any building or structure used for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020 Regulations 2001) with explosive or flammable intrinsic properties is a non-complying activity, except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities.</del></p> <p>Activity status: <del>where compliance is not achieved: NC</del> <u>Where:</u></p> <p>(i) <u>Compliance with NEG-T-R2.1 and NEG-T-R2.2 is not achieved;</u></p> <p>(ii) <u>The building or structure is for intensive indoor primary production, commercial greenhouses, milking sheds or buildings storing hazardous substances; or</u></p> <p>(iii) <u>The building or structure is not otherwise provided for in the National Grid yard.</u></p>	

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		<p>noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines</p> <p>The provisions sought in relation to the National Grid Yard are intended to allow for the reasonable use of land inside the transmission line corridor, with standards and rules imposed to ensure that any subdivision, land use and development that might compromise the National Grid is either managed or avoided.</p> <p>Specific to the 10-12 m 'National Grid Yard', Transpower is satisfied that there are some activities within the National Grid Yard that will not significantly compromise the operation, maintenance or any upgrade of the network, due to their nature and small scale. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 12 m of the line (noting that they will still need to be set back 12 m from National Grid support structures and meet mandatory safety clearances stipulated in other regulations) on the basis they are unlikely to "build out" a transmission line. The access or use of these structures can be restricted without causing animal welfare or business disruption issues, and they do not introduce intensive uses or heavily frequented workplaces with long durations of exposure to risk. Conversely, specific to NEG-T-R2, examples of development that should be avoided within the National Grid Yard include commercial buildings and intensive uses/development, dairy sheds, piggeries, poultry sheds, and commercial greenhouses. The location of buildings and activities beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.</p> <p>Of particular relevance in terms of the effects of activities on the National Grid are NPSET Policies 10 and 11. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to:</p> <ul style="list-style-type: none"> <li>- Avoid sensitive activities near electricity transmission lines and infrastructure;</li> <li>- Manage other activities to avoid reverse sensitivity effects on the Grid; and</li> <li>- Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised.</li> </ul> <p>The only change sought to the rule is insertion of an explicit non-complying rule to make it clear that some activities are non-complying (noting that sensitive activities are managed under Rule NEG-T-R3). Given the national significance of the National Grid, clear direction is required. The provision of a new non-complying rule allows for the relocation of clause 3. (which is proposed as a non-complying rule) to the explicit non complying rule.</p>		
31.30	<p><b>Rules - NEG-T-R3.</b>      <i>New transmission sensitive activities including the erection or relocation of buildings for transmission sensitive activities</i></p> <p><i>Activity status: NC</i></p>	<p><b>Decision:</b> Support. Retain Rule NEG-T-R3</p> <p><b>Reasoning:</b> The rule is supported in that it ensures Policy 10 and Policy 11 of the NPSET are given effect to in terms of managing activities to avoid reverse sensitivity effects on the National Grid, ensure the operation, maintenance,</p>	<p>S42A Recommendation (NGET): Accept</p> <p>The rule is retained as notified with only submissions in support.</p>	<p>The recommendation is supported given the rule is retained as notified.</p>

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<p>Where:</p> <p>1. The following activities propose to locate within the National Grid Yard:</p> <ul style="list-style-type: none"> <li>(i) Establishment of a transmission sensitive activity in an existing or new building or structure; or</li> <li>(ii) Construction of a new building or relocation of a building to accommodate a transmission sensitive activity; or</li> <li>(iii) Any change of land use to a transmission sensitive activity; or</li> <li>(iv) Additions or alterations to an existing building or structure for a sensitive activity that involves an increase in the building or structure height or footprint.</li> </ul> <p>Activity status where compliance is not achieved: N/A</p> <p>Note: Transpower New Zealand Ltd will be considered an affected party in accordance with section 95E of the Act.</p> <p>Note: NZECP is mandatory under the Electricity Act 1992. All activities regulated by NZECP, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the Plan.</p> <p>Note: Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p>	<p>upgrade and development of the National Grid is not compromised, and provide restrictions on sensitive activities.</p> <p>The location of buildings and activities, particularly ‘sensitive activities’ such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower’s ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.</p> <p>Of particular relevance in terms of the effects of activities on the National Grid are NPSET Policies 10 and 11. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to:</p> <ul style="list-style-type: none"> <li>• Avoid sensitive activities near electricity transmission lines and infrastructure;</li> <li>• Manage other activities to avoid reverse sensitivity effects on the Grid; and</li> <li>• Manage activities to ensure the operation, maintenance, upgrading and development of the National Grid is not compromised.</li> </ul>		
31.31	<p><b>Rules - NEG-T-R4.</b> Quarrying activities</p> <p>NEG-T-R4. Quarrying activities</p> <p>Activity status: PR</p> <p>Where:</p> <p>1. Within the National Grid Yard, the activity is a quarrying activity, farm quarrying or forestry quarrying.</p> <p>Note: This rule prevails over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</p> <p>Activity status where compliance is not achieved: N/A</p>	<p><b>Decision:</b> Support. Retain Rule NEG-T-R4</p> <p><b>Reasoning:</b> For the avoidance of doubt, Transpower supports the rule and activity status, although Transpower would not oppose a non-complying activity status.</p>	<p>S42A Recommendation (NGET): Accept</p> <p>The rule is retained as notified with only submissions in support.</p>	<p>The recommendation is supported given the rule is retained as notified.</p>
<b>19. Network Utilities</b>				
31.32	<p>Overview</p>	<p><b>Decision:</b> Support. Retain the Overview to Chapter 19. Network Utilities as it relates to the National Grid and the NPSET.</p>	<p>S42A Recommendation (NU): Accept</p>	<p>The recommendation is supported as the provision is largely</p>



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<p><i>This chapter applies to network utility operators and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. Provisions relating to managing the effects on the national electricity grid and gas transmission network from other activities are contained in the national electricity and gas transmission chapter and also in the subdivision chapter.</i></p> <p>.....</p>	<p><b>Reasoning:</b> As noted, this chapter applies to network utility operators and includes provisions specific to the operation, maintenance, upgrading and development of network utilities. The effects of other activities on the National Grid are managed under the National Electricity and Gas Transmission Chapter 18.</p> <p>Transpower supports the overview to the chapter and the specific references to the National Grid and the NPSET. The NPSET is a higher order policy document that recognises and provides for the National Grid as being of national significance. Recognition within the overview ensures plan users are aware of the NPSET, and that the overview reflects the policy framework for the National Grid.</p>	Provision is retained as notified, with a slight modification to refer to the application of other chapters.	retained as notified. The additional recommended wording is supported.
31.33	<p><b>Objectives - NU-01.</b></p> <p><i>Effective, resilient, efficient and safe network utilities that:</i></p> <ol style="list-style-type: none"> <li><i>1. Provide essential and secure services, including in emergencies; and</i></li> <li><i>2. Facilitate local, regional, national, or international connectivity; and</i></li> <li><i>3. Contribute to the economy; and</i></li> <li><i>4. Integrate with development, infrastructure and other activities; and</i></li> <li><i>5. Enable people and communities to provide for their health, safety and wellbeing</i></li> </ol>	<p><b>Decision:</b> Support. Retain the objective NU-01</p> <p><b>Reasoning:</b> Transpower supports the objective, noting that a specific policy framework for the National Grid is provided in policies NU-P20 – P22, and a specific National Grid objective is provided as NU-03.</p>	<p>S42A Recommendation (NU): Accept</p> <p>Provision is retained as notified</p>	The recommendation is supported as the provision is retained as notified.
31.34	<p><b>Objectives - NU-02</b></p> <p><i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated whilst recognising the positive effects and functional and operational needs of network utilities.</i></p>	<p><b>Decision:</b> Support. Retain the objective NU-02</p> <p><b>Reasoning:</b> Transpower supports the objective, noting that a specific policy framework is provided for the National Grid (refer NU-P20 – P22).</p>	<p>S42A Recommendation (NU): Accept</p> <p>Provision is retained as notified</p>	The recommendation is supported as the provision is retained as notified.
31.35	<p><b>Objectives - NU-03.</b></p> <p><i>The national significance and benefits of the National Grid and gas transmission network are recognised and provided for.</i></p>	<p><b>Decision:</b> Amend. Retain the intent of the objective but separate the National Grid into its own specific objective as follows:</p> <p>NU-03.</p> <p><i>The national significance and benefits of the National Grid <del>and gas transmission</del> network are recognised and provided for.</i></p> <p>NU-03a.</p> <p><i>The national significance and benefits of the <del>National Grid and</del> gas transmission network are recognised and provided for.</i></p> <p><b>Reasoning:</b> Transpower supports the objective, noting its preference that the National Grid is addressed in a separate objective.</p>	<p>S42A Recommendation (NU): Accept in part. Refer para 125 - 132</p> <p><i>132. I agree with Transpower [31.35] that it is appropriate to separate Objective NU-03 into two. In addition, this provides an opportunity to align the wording in objective NU-03 with the corresponding objectives NEGT-01 and NEGT-02 in Chapter 18 National Electricity and Gas Transmission. This is appropriate given that the gas transmission network has not been assigned national significance. I have recommended amendments to NEGT-01 and NEGT-02 in response to submissions received from the two key submitters. While strictly speaking it is not necessary to duplicate the objectives across chapters, the chapters have different focuses, and it ensures the objectives are not overlooked.</i></p> <p>Recommended wording:</p> <p><i>NU-03. The national significance and benefits of the National Grid <del>and gas transmission network</del> are recognised and provided for.</i></p>	The recommendation is supported as it give effect to the relief sought by Transpower in relation to the National Grid.



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			<i><u>NU-OX. The regional significance of the gas transmission network is recognised.</u></i>	
31.36	<b>Policies – Benefits NU-P1</b>  <i>Recognise the benefits of network utilities by allowing for the development, upgrade, operation, maintenance, repair or removal of network utilities and provide for the functions and responsibilities of network utilities including during an emergency.</i>	<b>Decision:</b> Support. Retain Policy NU-P1  <b>Reasoning:</b> Although not specific to the National Grid, Transpower supports the policy which requires the recognition of benefits. Such benefits are provided for by allowing for their development, upgrade, operation, maintenance, repair or removal.  The policy gives effect to NPSET policy 1 and policy 2 and reflects the PDP strategic direction SD-O30.	S42A Recommendation (NU): Accept  Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
31.37	<b>Policies – Benefits NU-P2</b>  <i>Recognise that the positive benefits of network utilities may be realised at a national, regional and local level. The benefits include an:</i> <ol style="list-style-type: none"> <li><i>1. Effective, safe, secure, and efficient electricity and gas transmission and distribution system; and</i></li> <li><i>2. Integrated, efficient, and safe transport network for the movement of people and goods by land, air, or water, including public transport, walking, cycling and private vehicles; and</i></li> <li><i>3. Effective, reliable and future-proofed communications network and services; and</i></li> <li><i>4. Effective, resilient, efficient and safe water, wastewater and stormwater treatment systems, network and services.</i></li> </ol>	<b>Decision:</b> Support. Retain Policy NU-P2  <b>Reasoning:</b> Transpower supports the policy (and in particular clause 1.) which requires the recognition of benefits.  The policy gives effect to NPSET policy 1 and reflects the PDP strategic direction SD-O30.	S42A Recommendation (NU): Accept  Provision is retained as notified	The recommendation is supported as the provision is retained as notified.
31.38	<b>Policies – Earthworks NU-P7.</b>  <i>Enable earthworks where they maintain the stability of land, are setback from caves, sinkholes and water bodies and minimise:</i> <ol style="list-style-type: none"> <li><i>1. Erosion and sediment loss from the site, including loss to reticulated stormwater systems; and</i></li> <li><i>2. The effect of cut or fill faces and retaining structures on the visual amenity and character of the surrounding area; and</i></li> <li><i>3. Significant alterations to natural landforms; and</i></li> <li><i>4. Adverse effects on air quality from objectionable particulate matter.</i></li> </ol>	<b>Decision:</b> Support. On the basis of the provision of specific National Grid policies (NU-P20-22), retain Policy NU-P7.  <b>Reasoning:</b> On the basis of the provision of specific National Grid policies (NU-P20-22) Transpower supports the policy.	S42A Recommendation (NU): Reject  The officer does not specifically address the Transpower submission, but recommends that the policy be deleted on the basis of other recommendations made in relation to this policy. The Officer considers that there is duplication between this provision and Policy EW – P1 in the earthworks chapter, and that the NU chapter enables consideration of the objectives and policies in the EW chapter (ie also refer to the relevant objs etc). Of note, Transpower supported EW-P1 (which is identical to NU-P7).  The recommendation is to delete the policy, as the user would refer to EW-P1.	The recommendation is accepted on the basis EW-P1 is retained.
31.39	<b>Policies – Indigenous Biodiversity NU-P8.</b>  <i>Enable clearance of indigenous vegetation outside of overlays, scheduled sites and features, cave entrances and sinkholes, coastal and water body margins.</i>	<b>Decision:</b> Support. On the basis of the provision of specific National Grid policies (NU-P20-22), retain Policy NU-P8  <b>Reasoning:</b> On the basis of the provision of specific National Grid policies (NU-P20-22) Transpower supports the policy.	S42A Recommendation (NU): Reject  <i>281. I am mindful that the Network Utilities Chapter enables consideration of objectives and policies in Chapter 26 Ecosystems and indigenous biodiversity. It is not the intention that the Network Utilities Chapter provide a full policy framework for indigenous biodiversity. In relation to this, the following wording appears in italics under both the ‘Objectives’ and ‘Policies’</i>	The recommendation is accepted on the basis the ‘precedence’ clause in NJU-P20, P21 and P22 remains.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			<p>heading: Refer also to the relevant policies in Part 2 District - Wide Matters and Part 3 - Area Specific Matters</p> <p>282. In light of this, it is appropriate to consider the relevant policies in Chapter 26 Ecosystems and indigenous biodiversity. Policy ECO-P13 provides a comprehensive framework for the removal of indigenous vegetation or adverse effects on habitats of indigenous fauna, or disturbance of wetland areas occurs outside of significant natural areas. It is my view that many of the wording amendments sought by submitters are addressed through the policy framework in Chapter 26 Ecosystems and indigenous biodiversity.</p> <p>283. In addition, the policy framework in Chapter 26 Ecosystems and indigenous biodiversity must be read in conjunction with the policies in the Network Utilities Chapter that recognise the benefits of network utilities and the functional and operational needs of network utilities. It is my opinion that this package of provisions across both chapters provides policy support for the rules enabling the minor clearance of indigenous vegetation in certain circumstances.</p> <p>284. Given the above, it is my opinion that NU-P8 can be deleted from the Network Utilities Chapter, and reliance be placed on the more comprehensive Policy ECO-P13 in Chapter 26 Ecosystems and indigenous biodiversity. I therefore recommend rejecting the submission points from Chorus, Connexa, Spark, Vodafone [09.05], WRC [10.22], Forest and Bird [47.46], DOC [53.19] and accepting WRC's submission point [10.23e].</p> <p>Recommendation: delete policy.</p>	
31.40	<p><b>Policies – Adverse Effects NU-P9</b></p> <p><i>For roads in all locations and all land located outside of overlays, scheduled sites and features, manage the adverse effects of network utilities whilst taking into account their functional and operational needs, by:</i></p> <ol style="list-style-type: none"> <li>1. Controlling the height, bulk and location of network utilities in a manner that minimises any adverse effects on the anticipated outcomes for the receiving environment including the role, function, character and identified qualities of the zone or precinct; and</li> <li>2. Requiring compliance with recognised standards or guidelines relating to radiofrequency fields and electric and magnetic fields; and</li> <li>3. Requiring undergrounding of new electricity and telecommunications lines in the Te Kūiti CBD Precinct (PREC5) and the future urban zone only; however, this does not apply to upgrading of existing overhead lines.</li> </ol>	<p><b>Decision:</b> Amend. Amend Policy NU-P9 as follows:</p> <p><b>NU-P9</b></p> <p><i>For roads in all locations and all land located outside of overlays, scheduled sites and features, manage the adverse effects of network utilities whilst taking into account their functional and operational needs, by:</i></p> <ol style="list-style-type: none"> <li>1. Controlling the height, bulk and location of network utilities in a manner that minimises <u>to the smallest amount reasonably practicable</u> any adverse effects on the anticipated outcomes for the receiving environment including the role, function, character and identified qualities of the zone or precinct; and</li> </ol> <p>.....</p> <p><b>Reasoning:</b> On the basis of the provision of specific National Grid policies (NU-P20-22) Transpower is largely neutral on the policy.</p> <p>However, the policy could be applied to the upgrade or development of the National Grid outside specified areas identified within policies NU-P21 and P22. On this basis, in the absence of a definition of minimise within the PDP, Transpower seeks an amendment to clause 1. to clarify that the minimisation of adverse effects is minimise to the 'smallest amount reasonably practicable'.</p>	<p>S42A Recommendation (NU): Accept</p> <p>300. The wording of NU-P9 is unique but it basically applies to land outside any overlays and to roads. The basis of this is the foreword to the rules which states that overlays are to be disregarded for roads and new roads approved as part of a resource consent. Three submissions were received that sought amendments to NU-P9.</p> <p>03. The reasons provided by Transpower is that the wording provides more clarity in the absence of a definition for minimise in the PDP. I agree that it is a helpful addition, as network utilities are often constrained by the nature of their operational and functional needs in their ability to reduce adverse effects.</p> <p>NB Officer also recommends amendment to the start of the policy in response to WRC submission (10.24):</p> <p>The policy is amended as follows:</p> <p>NU-P9. <del>For roads in all locations and all land located outside of overlays, scheduled sites and features, manage the adverse</del></p>	<p>The recommendation is accepted on the basis it reflects the relief sought in the Transpower submission.</p>

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		Clause 3. would be unlikely to apply to the National Grid given the location of existing assets and PDP identified future urban zones.	<p><del>effects of network utilities whilst taking into account their functional and operational needs, by:</del></p> <p><u>Manage the adverse effects of network utilities in all roads and other land outside of overlays, scheduled sites and features, whilst taking into account their functional and operational needs by:</u></p> <ol style="list-style-type: none"> <li>1. Controlling the height, bulk and location of network utilities in a manner that minimises <u>to the smallest amount reasonably practicable</u> any adverse effects on the anticipated outcomes for the receiving environment including the role, function, character and identified qualities of the zone or precinct; and</li> <li>2. Requiring compliance with recognised standards or guidelines relating to radiofrequency fields and electric and magnetic fields; and</li> <li>3. Requiring undergrounding of new electricity and telecommunications lines in the Te Kūiti CBD Precinct (PREC5) and the future urban zone only; however, this does not apply to upgrading of existing overhead lines.</li> </ol>	
31.41	<p><b>Policies – Adverse Effects NU-P10.</b></p> <p>Ensure the location, scale and operation of network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities as far as practicable by:</p> <ol style="list-style-type: none"> <li>1. Maintaining required separation distances to ensure reverse sensitivity effects are minimised; and</li> <li>2. Ensuring sites are sufficiently landscaped and screened; and</li> <li>3. Ensuring that industrial buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.</li> </ol>	<p><b>Decision:</b> Amend. Amend Policy NU-P10 as follows:</p> <p><b>NU-P10.</b></p> <p>Ensure the location, scale and operation of <u>new</u> network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities as far as <u>reasonably</u> practicable by:</p> <ol style="list-style-type: none"> <li>1. Maintaining required separation distances to ensure reverse sensitivity effects are minimised; and</li> <li>2. Ensuring sites are sufficiently landscaped and screened; and</li> <li>3. Ensuring that industrial buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.</li> </ol> <p><b>Reasoning:</b> While Transpower understands the intent of the policy directive, it is not clear how the policy would be applied to existing network utilities.</p> <p>When applied to the National Grid, Transpower has concerns the application of clause 2. could require landscaping around support structures. Such a requirement poses technical and operational issues for Transpower in that vegetation can pose a significant risk to the assets both in terms of a fire danger and operational issues While Transpower accepts the policy uses the term ‘where practicable’ this does impose a high bar in terms of demonstrating why landscaping is not appropriate.</p>	<p>S42A Recommendation (NU): Accept in part</p> <p>310. With regard to the Transpower and Chorus, Connexa, Spark, Vodafone submissions, I acknowledge that for some network utilities it is not practical to implement clause 2 due to the nature of the network utility. I also agree that the reference to industrial buildings should be amended to apply to buildings that house network utilities. However I do not agree to the addition of the word ‘new’ in the chapeau as I consider the policy is relevant to activities such as upgrades or realignment. I also do not agree that clause 1 should be deleted. The combination of clause 1 with the chapeau makes it clear that the focus of the policy is managing the relationship between sensitive activities and network utilities. I take the point made by Transpower however, that network utilities are often constrained by their operational and functional requirements. I see value in recognising this through the inclusion of “where” practicable in the chapeau.</p> <p>Recommended wording:</p> <p>NU-P10. Ensure the location, scale and operation of network utilities and their ancillary activities avoid, remedy or mitigate adverse effects on nearby sensitive activities <del>as far as</del> <u>where</u> practicable, <u>including</u> by:</p> <ol style="list-style-type: none"> <li>1. Maintaining required separation distances to ensure reverse sensitivity effects are minimised; and</li> <li>2. Ensuring sites are sufficiently landscaped and screened <u>where appropriate</u>; and</li> </ol>	The recommendation is accepted on the basis of the recommended changes the National Grid specific policies.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			3. Ensuring that <del>industrial</del> buildings <u>to house network utilities</u> are designed <del>as far as practicable</del> to not overshadow or overly dominate the wider surrounding area.	
31.42	<p><b>Policies – Hazards, overlays, scheduled sites and features NU-P11.</b></p> <p><i>Ensure consideration of the values, qualities and characteristics of overlays, scheduled sites and features when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.</i></p>	<p><b>Decision:</b> Support. On the basis of the provision of specific National Grid policies (NU-P20-22), retain Policy NU-P11</p> <p><b>Reasoning:</b> Notwithstanding the provision of specific National Grid policies (NU-P20-22) Transpower supports the ‘consideration’ directive within the policy.</p>	<p>S42A Recommendation (NU): Reject</p> <p>320. DOC [53.20] sought that Policy NU-P11 be deleted on the grounds that its purpose is unclear, such that it provides insufficient resource management guidance to the plan user. The values, qualities and characteristics of overlays, scheduled sites and features will need to be considered when proposing new infrastructure or undertaking significant upgrades, regardless of the wording in proposed in NU-P11.</p> <p>321. I agree with the submission from DOC, particularly in the context of the reference to relevant policies in Part 2 District-Wide Matters as set out above. I therefore accept the submission from DOC [53.20]. I will provide the amended policy in full at the conclusion of this topic.</p> <p>Delete NU-P11 and Insert a new policy as follows:</p> <p><u>NU-PX Enable network utilities in natural hazard overlays that:</u></p> <p><u>1. Do not increase the risk from the natural hazard to people, other property or other infrastructure;</u></p> <p><u>2. Have a functional need or operational need to be located within the area subject to the hazard; and</u></p> <p><u>3. Where necessary and appropriate include design measures to reduce the potential for damage in a natural hazard event.</u></p>	The recommendation is accepted on the basis of the recommended changes and the recommended National Grid specific policies.
31.43	<p><b>Policies – Hazards, overlays, scheduled sites and features NU-P12.</b></p> <p><i>Provide for regionally significant infrastructure within overlays, scheduled sites and features where:</i></p> <ol style="list-style-type: none"> <li><i>1. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site or feature; and</i></li> <li><i>2. It is demonstrated through an options assessment that locating within the overlay, scheduled site or feature is the best practicable option, having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, compared to alternative options.</i></li> </ol>	<p><b>Decision:</b> Support. Retain Policy NU-P12.</p> <p><b>Reasoning:</b> Notwithstanding the provision of specific National Grid policies (NU-P20-22) Transpower supports the policy.</p>	<p>S42A Recommendation (NU): Accept in part</p> <p>325. Forest and Bird [47.55 and 47.50] also sought some amendments to the chapeau of the policy. It suggested replacing ‘provide for’ with ‘consider’ and also replacing ‘regionally significant infrastructure’ with ‘network utilities’. Similar to the Waikato PDP, the policy is intended to recognise that regionally significant infrastructure is not always able to completely avoid areas subject to an overlay. The inclusion of this policy gives effect to the RPS and its provisions relating to regionally significant infrastructure. I consider that the use of the words “provide for” is reasonably enabling, when in reality the rules which deliver this policy usually apply a restrictive activity status. The term “consider” is more appropriate given that network utilities will be considered in the context of other relevant policies</p> <p>Recommended wording:</p> <p>Hazards <u>areas, coastal hazard areas</u>, overlays, scheduled sites and features</p> <p><del>NU-P11. Ensure consideration of the values, qualities and characteristics of overlays, scheduled sites and features when</del></p>	The recommendation is accepted on the basis of the recommended changes and the recommended National Grid specific policies.



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			<p><del>proposing new infrastructure or undertaking significant upgrades to existing infrastructure.</del></p> <p>NU-P12. <del>Consider Provide for</del> regionally significant infrastructure within overlays, scheduled sites and features where:</p> <p>1. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site or feature; and</p> <p>2. It is demonstrated through an options assessment that locating within the overlay, scheduled site or feature is the best practicable option, having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, compared to alternative options.</p>	
31.44	<p><b>Policies – Integration NU-P13</b></p> <p><i>In assessing the effects of any application and the directions contained in Policy NU-P1 to Policy NU-P12, have regard to:</i></p> <ol style="list-style-type: none"> <li><i>1. The extent to which adverse effects have been addressed through site, route or method selection and/or the extent to which the network utility is constrained by functional or operational needs; and</i></li> <li><i>2. Whether, because of functional and operational constraints, there may be some situations where all adverse effects cannot be avoided, remedied, or mitigated; and</i></li> <li><i>3. The necessity and significance of the network utility, including:</i> <ol style="list-style-type: none"> <li><i>(i) The need to quickly repair and restore disrupted services; and</i></li> <li><i>(ii) The impact at a local, regional and national level of not operating, repairing, maintaining, upgrading, removing or developing the network utility; and</i></li> </ol> </li> <li><i>4. The time, duration or frequency of adverse effects; and</i></li> <li><i>5. The location of existing network utilities, including:</i> <ol style="list-style-type: none"> <li><i>(i) The complexity and connectedness of the networks and services; and</i></li> <li><i>(ii) The potential for co-location and shared use of network utility corridors.</i></li> </ol> </li> </ol>	<p><b>Decision:</b> Support. Retain Policy NU-P13.</p> <p><b>Reasoning:</b> Notwithstanding the provision of specific National Grid policies (NU-P20-22) Transpower supports the policy.</p>	<p>S42A Recommendation (NU): Accept</p> <p>The policy is retained as notified.</p>	<p>The recommendation is accepted on the basis of the recommended National Grid specific policies.</p>
31.45	<p><b>Policies – Integration NU-P14</b></p> <p><i>Support network utilities in adopting new technologies that:</i></p> <ol style="list-style-type: none"> <li><i>1. Improve access to, and efficient use of, networks and services; and</i></li> <li><i>2. Allow for the re-use of redundant services and structures; and</i></li> <li><i>3. Enable co-location on existing structures; and</i></li> </ol>	<p><b>Decision:</b> Support. Retain policy NU-P14.</p> <p><b>Reasoning:</b> Transpower supports the policy which recognises new technologies.</p>	<p>S42A Recommendation (NU): Accept</p> <p>The policy is retained as notified.</p>	<p>The recommendation is accepted on the basis of the recommended National Grid specific policies.</p> <p>It also reflects the relief sought in the</p>

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	<p>4. Increase resilience, safety or reliability of networks and services; and</p> <p>5. Result in environmental benefits and enhancements; or</p> <p>6. Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources</p>			Transpower submission.
31.46	<p><b>Policies – Integration NU-P19</b></p> <p><i>The function, operation, maintenance, repair and upgrading of existing network utilities is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.</i></p>	<p><b>Decision:</b> Support. Retain policy NU-P19.</p> <p><b>Reasoning:</b> Although the effects of third-party activities on the National Grid are addressed within the National electricity and gas transmission Chapter 18 (and specifically policies NEGT-P1, P2 and P6), Transpower supports the policy.</p>	<p>S42A Recommendation (NU): Accept</p> <p>The policy is retained as notified.</p>	<p>The recommendation is accepted on the basis of the recommended National Grid specific policies.</p> <p>It also reflects the relief sought in the Transpower submission.</p>
31.47	<p><b>Policies – National Grid NU-P20</b></p> <p><i>Enable the operation, maintenance and minor upgrade and repair of the National Grid.</i></p>	<p><b>Decision:</b> Amend. Amend Policy NU-P20.</p> <p><i>NU-P20</i></p> <p><i>Enable the operation, maintenance and minor upgrade and repair of the National Grid.</i></p> <p><u><i>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</i></u></p> <p><b>Reasoning:</b> Transpower seeks a suite of provisions specific to the National Grid. Policies 2 to 9 of the NPSET are particularly relevant to the proposed district plan as they provide the policy framework for managing the environmental effects of electricity transmission in recognising and providing for the ongoing operation and development of the National Grid.</p> <p>The development of the National Grid must therefore be managed to ensure the potential for adverse effects is appropriately managed while recognising the significance of the National Grid and the constraints under which it operates.</p> <p>The proposed policy framework provides a bespoke National Grid specific framework that would give effect to the NPSET and NU-O3. It is noted the policy framework for managing other activities (including earthworks and subdivision) are addressed in the Transmissions Chapter 18 and Subdivision Chapter 29. Transpower is comfortable with the plan placement of provisions relating to the effect of third-party activities on the Grid.</p> <p>The provisions of specific policies for the National Grid is consistent with the approach sought and adopted across other district (and regional) plans across the country.</p> <p>Specific to policy NU-P20, Transpower supports the provision of specific policy direction in relation to enabling existing National Grid assets. The policy gives effect to Policy 2 and Policy 5 of the NPSET.</p>	<p>S42A Recommendation (NU): Accept</p> <p><i>122. Transpower [31.47 and 31.48], sought inclusion of the following statement: In the event of any conflict with any other policies within the plan, NU-P20, NUP21 and NU-P22 take precedence.</i></p> <p><i>123. The basis of this request is to give effect to the NPSET, and clarify the relationship with other provisions. The NPSET responds to a matter of significance, being the need to operate, maintain, develop and upgrade the electricity transmission network. While there are other national policy statements in play, these are resolved through NU-P21 and NU-P22 in particular, which addresses matter such as development in the coastal environment, an in urban zoned areas. I note that this wording already exists at the bottom of NU-P22. I therefore recommend the following wording is inserted at the end of NU-P20 and NU-21 for completeness:</i></p> <p><u><i>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</i></u></p> <p><i>124. I note this approach was recently accepted by the Independent Hearing Panel deciding on the New Plymouth PDP.</i></p>	<p>The recommendation is supported on the basis it reflects the relief sought in the Transpower submission and clarifies the relationship between policies.</p>

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		Notwithstanding the above support, an amendment is sought to include clause 6 within Policy NU-P22 to clarify the relationship between other policies of the plan and the National Grid specific policies (noting that clause 6 provides specific reference to policy NU-P20 and therefore it is assumed the intention is that it be applied to NU-P20).		
31.48	<p><b>Policies – National Grid NU-P21</b></p> <p><i>Provide for the upgrading of the National Grid by:</i></p> <ol style="list-style-type: none"> <li>1. Seeking to avoid adverse effects on areas identified in SCHED1 - heritage buildings and structures, SCHED2 – significant archaeological sites, SCHED3 and SCHED 4 - sites of significance to Māori, SCHED6 - significant natural areas, and SCHED8 - outstanding natural features; and</li> <li>2. When considering major upgrades, have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection; and</li> <li>3. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects; and</li> <li>4. Recognising the potential benefits of upgrades to the National Grid to people and communities; and</li> <li>5. Where appropriate, substantial upgrades should be used as an opportunity to reduce existing effects of the National Grid.</li> </ol>	<p><b>Decision:</b> Amend. Amend Policy NU-P2 as follows:</p> <p><b>NU-P21</b></p> <p><i>Provide for the upgrading of the National Grid by:</i></p> <ol style="list-style-type: none"> <li>1. Seeking to avoid adverse effects on areas identified in SCHED1 - heritage buildings and structures, SCHED2 – significant archaeological sites, SCHED3 and SCHED 4 - sites of significance to Māori, SCHED6 - significant natural areas, and SCHED8 - outstanding natural features; and</li> <li>2. When considering major upgrades, have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection; and</li> <li>3. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects; and</li> <li>4. Recognising the potential benefits of upgrades to the National Grid to people and communities; and</li> <li>5. Where appropriate, substantial upgrades should be used as an opportunity to reduce existing effects of the National Grid.</li> <li>6. <u>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence</u></li> </ol> <p><b>Reasoning:</b> For the reasons provided on the submission point relating to NU-P20, Transpower supports the provision of a specific policy relating to upgrading (that is not a minor upgrade) to the National Grid.</p> <p>Policy NU-P21 gives effect to policies 2, 3, 4, 6, 7 and 8 of the NPSET. The policy imposes a ‘seek to avoid’ approach for sensitive environments within the vicinity of existing National Grid assets but having regard to the constraints, benefits and route, site and method selection process. The policy recognises the existing nature of the assets and therefore avoidance is not always possible. It is noted there are no existing National Grid assets within the coastal environment within the Waitomo District, and the existing lines do not traverse or are not adjacent to any PDP SCHED 5, 7, 9, 10, 11, 12 and 13 sites. As such the schedules are not referenced in the policy as there would not be any upgrade in these scheduled areas.</p> <p>Notwithstanding the above support, an amendment is sought to include clause 6 within Policy NU-P22 to clarify the relationship between other policies of the plan and the National Grid specific policies (noting that clause 6 provides specific reference to policy NU-P21).</p>	<p>S42A Recommendation (NU): Accept</p> <p>122. Transpower [31.47 and 31.48], sought inclusion of the following statement: <i>In the event of any conflict with any other policies within the plan, NU-P20, NUP21 and NU-P22 take precedence.</i></p> <p>123. The basis of this request is to give effect to the NPSET, and clarify the relationship with other provisions. The NPSET responds to a matter of significance, being the need to operate, maintain, develop and upgrade the electricity transmission network. While there are other national policy statements in play, these are resolved through NU-P21 and NU-P22 in particular, which addresses matter such as development in the coastal environment, an in urban zoned areas. I note that this wording already exists at the bottom of NU-P22. I therefore recommend the following wording is inserted at the end of NU-P20 and NU-21 for completeness:</p> <p><u>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</u></p> <p>124. I note this approach was recently accepted by the Independent Hearing Panel deciding on the New Plymouth PDP.</p> <p>135. Forest and Bird [47.52] sought amendments to NU-P21 to clarify that the considerations in this policy are in addition to other policies above. From the submission, it is not clear which policies the submitter is referring to but it is presumably policies in other chapters and preceding policies in the Network Utilities chapter. In response to the submission from Transpower I have recommended text that clarifies the status of NU-P20, NU-P21 and NU-P22 in the case of conflict with other policies in the Plan. I therefore recommend rejecting the submission from Forest and Bird.</p> <p>136. DOC [53.22] sought to amend clause (1) to avoid adverse effects rather than “seek to avoid” which is a slightly more stringent policy position. I note that section 6(c) and 6(g) of the RMA are the only matters of national importance which require absolute protection, the others are all qualified by “inappropriate subdivision, use and development”. While it is not listed in section 6 of the RMA, the NPSET states that the need to operate, maintain, develop and upgrade the electricity transmission network is a matter of national significance. Because of the need to balance potentially competing matters, I consider that “seek to avoid” is an appropriate policy position.</p>	<p>The recommendation is supported on the basis it reflects the relief sought in the Transpower submission and clarifies the relationship between policies, and appropriately gives effect to the NPSET.</p>



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			137. DOC also sought inclusion of a schedule for bat protection areas and a schedule for light sensitive areas. Seeing as Ms Callaghan has recommended rejecting this request in her consideration of submissions on the ECO Chapter, I also recommend rejecting inclusion of the additional schedules in NU-P21.	
31.49	<p><b>Policies – National Grid NU-P22</b></p> <p>Provide for the development of the National Grid:</p> <ol style="list-style-type: none"> <li>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and</li> <li>2. Seek to avoid the adverse effects of the National Grid within overlays, scheduled sites and features; and</li> <li>3. Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by: <ol style="list-style-type: none"> <li>(i) Seeking to avoid adverse effects on areas identified in SCHED6 - significant natural areas, SCHED7 – outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character; and</li> <li>(ii) Where it is not practicable to avoid adverse effects on the values of the areas in identified in SCHED6 – significant natural areas, SCHED7 - outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values; and</li> <li>(iii) Seeking to avoid significant adverse effects on: <ol style="list-style-type: none"> <li>i. SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; and</li> <li>ii. SCHED1 - heritage buildings and structures, SCHED2 - significant archaeological sites, SCHED3 and SCHED 4 -</li> </ol> </li> </ol> </li> </ol>	<p><b>Decision:</b> Amend. Amend Policy NU-P22 as follows:</p> <p><b>NU-P22</b></p> <p>Provide for the development of the National Grid:</p> <ol style="list-style-type: none"> <li>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and</li> <li>2. Seek to avoid the adverse effects of the National Grid within overlays, scheduled sites and features; and</li> <li>3. Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by: <ol style="list-style-type: none"> <li>(i) Seeking to avoid adverse effects on areas identified in SCHED6 - significant natural areas, SCHED7 – outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character; and</li> <li>(ii) Where it is not practicable to avoid adverse effects on the values of the areas in identified in SCHED6 – significant natural areas, SCHED7 - outstanding natural landscapes, SCHED8 - outstanding natural features, and SCHED10 – areas of outstanding natural character because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values; and</li> <li>(iii) Seeking to avoid significant adverse effects on: <ol style="list-style-type: none"> <li>i. <del>SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; other areas of natural character in the coastal environment and</del></li> <li>ii. <del>SCHED1 – heritage buildings and structures, SCHED2 – significant archaeological sites, SCHED3 and SCHED 4 – sites of significance to Māori; natural attributes and characteristics of other natural features and landscapes in the coastal environment</del></li> <li>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</li> <li>iv. <del>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del></li> </ol> </li> </ol> </li> <li>4. <u>Remedying or mitigating other adverse effects to the extent practicable; and</u></li> <li>5. When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above; <ol style="list-style-type: none"> <li>(i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</li> </ol> </li> </ol>	<p>S42A Recommendation (NU): Accept</p> <p>138. The wording of NU-P22 also closely reflects the content of the NPSET. Transpower [31.49] sought a number of amendments which I have step through individually. Transpower sought significant rewording of clause (3)(iii) which is the reference to all the schedules, and replacement with an effects hierarchy which seeks to avoid significant adverse effects on other areas of natural character in the coastal environment, and natural attributes and characteristics of other natural features and landscapes in the coastal environment. This has the effect of deleting specific reference to: a. SCHED11 – areas of high/very high natural character; b. SCHED9 – landscapes of high amenity value; c. SCHED12 – karst overlay; d. SCHED1 - heritage buildings and structures; e. SCHED2 - significant archaeological sites; and f. SCHED3 and SCHED 4 - sites of significance to Māori.</p> <p>139. The matters covered by these schedules are not specified in Policies 7 or 8 of the NPSET. Replacement with “seeking to avoid significant effects” on natural character, features and landscapes in the coastal environment reflects the policy position of the NZCPS. The use of the words “seeking to avoid” comes from Policies 7 and 8 of the NPSET whereas the NZCPS uses the term “avoid significant adverse effects” in policies 13(1)(b) and 15(b). I consider the wording proposed by Transpower attempts to resolve the tension between the two national policy statements, which have equal weighting. I therefore recommend accepting the submission from Transpower.</p> <p>140. The submission from Transpower requested moving clause (3)(iv) down so that it addresses effects that are not avoided within clauses 1-3. I recommend accepting the amendment as it better reflects the effects hierarchy of the NZCPS.</p> <p>141. The submission from Transpower requested to delete the first part of clause 6 which prioritises the policies relating to the coastal environment. Presumably this wording was inserted to reflect the equal weighting of the NZCPS, however NU-P22 effectively resolves any conflict between the NZCPS and NPSET. DOC [53.23] sought to delete clause 6 in its entirety, Given the equal weighting of the NZCPS and NPSET, and that these national policy statements are reconciled through NU-P22, I consider that clause 6 is necessary to avoid future debates on interpretation. Therefore I recommend accepting the amendments sought by Transpower.</p>	<p>The intent of the recommendation is supported however the wording is not clear. Amendments to the framework are suggested.</p> <p>Refer hearing evidence.</p>



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
	<p>sites of significance to Māori; and</p> <p>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</p> <p>iv. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</p> <p>4. When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above;</p> <p>(i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</p> <p>(ii) Consider the constraints arising from the operational needs and or functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</p> <p>5. Other than policies relating to the coastal environment, in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p>	<p>(ii) Consider the constraints arising from the operational needs and or functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</p> <p><del>Other than policies relating to the coastal environment, in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</del></p> <p><b>Reasoning:</b> For the reasons provided on the submission point relating to NU-P20 and NU-P21, Transpower supports the provision of a specific policy relating to development of the National Grid.</p> <p>Policy NU-P22 relates to the development of the National Grid and reflects Policy NU-P21 but with specific policy direction (within clause 3) to avoid significant adverse effects on NZPCS policy 11(b) (indigenous biodiversity), 13(b)(natural character) and 15(b) features (natural features and landscapes). This policy approach for the National Grid within the Coastal Environment reflects that agreed through consent order in the Greater Wellington Regional Council Proposed Natural Resources Plan (Policy 13A), and seeks to reconcile the NPSET and NZCPS.</p> <p>The RMA provides for a hierarchy of policy statements and plans. Both the NPSET and the NZCPS sit at the top of that hierarchy with neither document prevailing over the other. Instead, users must give effect to both policy statements. Transpower acknowledges that there is a potential tension between the NZCPS policies for the protection of high value natural areas (Policies 11, 13, 15 – an “avoid” approach), and the NPSET policies for managing the effects of the National Grid on high value natural areas (Policy 8 - a slightly more flexible “seek to avoid” approach). Policy 8 of the NPSET provides that rather than applying a strict ‘avoid’ approach, the National Grid should ‘seek to avoid adverse effects.</p> <p>Transpower’s approach to manage the policy tensions within the above national policy documents is to provide a detailed National Grid specific policy framework which addresses the circumstances in which National Grid projects can locate in coastal Outstanding Natural Features and Landscapes. The sought policy approach does not ‘allow’ the National Grid to be located within the coastal environment, but rather sets the policy framework for the effects of the National Grid in the coastal environment to be assessed in a considered manner. The proposed wording of in NU-P22 enables a case-by case merits assessment of specific National Grid projects in the coastal environment, through the resource consent process. This approach will allow decision-makers to have proper regard to both the NPSET and the NZCPS.</p> <p>When considering the effects of new National Grid Infrastructure, Policies 3 and 4 of the NPSET (which also apply to any resource consent process) require consideration of the constraints imposed by technical and operational requirements of the network, and requires regard be had to the extent to which any adverse effects have been avoided, remedied or mitigated by the route site and robust and comprehensive process that is undertaken by Transpower in relation to the development of the National Grid.</p> <p>Notwithstanding the above support for NU-P22, Transpower seeks amendment to the policy as follows:</p>	<p>Recommended wording:</p> <p>NU-P22 Provide for the development of the <u>National Grid</u>:</p> <p>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the commercial zone, areas of high recreational or amenity value and existing sensitive activities; and 2. Seek to avoid the adverse effects of the national grid within overlays, scheduled sites and features; and</p> <p>3. Where the <u>National Grid</u> has a functional need or operational need to locate within the coastal environment, manage adverse effects by:</p> <p><del>(i) Seeking to avoid adverse effects on areas identified in SCHED6 –significant natural areas, SCHED7 –outstanding natural landscapes, SCHED8 –outstanding natural features, and SCHED10 –areas of outstanding natural character; and</del></p> <p><del>(ii) Where it is not practicable to avoid adverse effects on the values of the areas in identified in SCHED6 –significant natural areas, SCHED7 –outstanding natural landscapes, SCHED8 –outstanding natural features, and SCHED10 –areas of outstanding natural character because of the functional needs or operational needs of the national grid, remedy or mitigate adverse effects on those values; and</del></p> <p><u>(i) Other areas of natural character in the coastal environment;</u></p> <p><u>(ii) Natural attributes and characteristics of other natural features and landscapes in the coastal environment</u></p> <p>(iii) Seeking to avoid significant adverse effects on:</p> <p>i. SCHED11 – areas of high/very high natural character, SCHED9 – landscapes of high amenity value and SCHED12 – karst overlay; and</p> <p>ii. SCHED1 - heritage buildings and structures, SCHED2 - significant archaeological sites, SCHED3 and SCHED 4 - sites of significance to Māori; and</p> <p>iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</p> <p>iv. <del>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del></p> <p><u>4. Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</u></p> <p><u>4.5. When considering the adverse effects in respect of NU-P22.1 - NU-P22.3 above;;</u></p>	

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		<ul style="list-style-type: none"> <li>– Amendment to clause 3.(iii) i. and ii. as clause (iii) is only meant to capture significant adverse effects to give effect to NZPCS policy 11(b) (indigenous biodiversity), 13(b)(natural character) and 15(b) features (natural features and landscapes), noting the clause only relates to the coastal environment. The features within schedules 1, 2, 3, 4, 9,11 and 12 are managed within clause 2. “Seek to avoid the adverse effects of the National Grid within overlays, scheduled sites and features; and” and therefore they are not required to be repeated in the coastal environment specific clause 3. which addresses the NZCPS.</li> <li>– Renumbering and rewording (in the form of deletion of the word ‘avoiding’) of clause 3.(iii).iv. to make it is own clause, so that it addresses effects that are not avoided within clauses 1-3.</li> </ul> <p>Amendment to clause 6 to remove the reference to the coastal environment chapter. The NZECP and NPSET are reconciled through Policy NU-P22 (noting there are no existing National Grid assets in the coastal environment). The requirement to refer to the coastal environment policies does not recognise NU-P22 and will result in a confusing and potentially contradictory policy framework in which to assess the development of the National Grid.</p>	<p>(i) Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</p> <p>(ii) Consider the constraints arising from the operational needs and or functional needs of the national grid, when considering measures to avoid, remedy or mitigate any adverse effects.</p> <p><del>5.6. Other than policies relating to the coastal environment,</del> in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p> <p>142. The submission from Federated Farmers sought inclusion of a new clause that specifically refers to avoiding adverse effects on rural activities lawfully established in the rural environment. The submitter considered that the policy does not recognise that the operation and location of network utilities can adversely impact on rural activities located in the rural environment. Federated Farmers considered that there needs to be recognition in the policy that where possible adverse effects on rural activities should be avoided, remedied or mitigated. NU-P22 directly responds to the NPSET, and the NPSET does not contain policies that seek to avoid adverse effects on rural activities lawfully established in the rural environment. I consider that the matters raised by Federated Farmers are more appropriately addressed through a more general policy which manages the adverse effects of network utilities. I therefore recommend rejecting the submission point.</p> <p>143. Forest and Bird [47.53] sought amendments to the policy to manage adverse effects in accordance with the ECO provisions and the CE Chapter. While policies in other chapters may apply, as outlined above, NU-P22 reconciles the NZCPS and the NPSET meaning that NU-P22 can take precedence where is conflict with other policies in the Plan. Consequently, there is no need to refer to the policies in the ECO or CE Chapter. Forest and Bird sought to retain clauses (4) and (5), and I have done so, albeit that they have been renumbered. For this reason, I recommend accepting in part the submission point from Forest and Bird.</p> <p>144. DOC [53.23] sought a number of changes also. It sought deletion in clause (2) to avoid adverse effects rather than “seek to avoid” which is a slightly more stringent policy position. I am aware that the wording “seek to avoid” is derived from Policy 8 of the NPSET.</p> <p>145. DOC also sought inclusion of a schedule for bat protection areas and a schedule for light sensitive areas. Seeing as Ms Callaghan has recommended rejecting this request in her consideration of submissions on the ECO Chapter, I also recommend rejecting inclusion of the additional schedules in NU-P22.</p>	

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			146. DOC sought deletion of the requirement to remedy or mitigate other adverse effects “to the extent practicable” in clause (3)(iv). I consider these words are required to better reflect the NPSET, and that there are constraints imposed on achieving those measures by the technical and operational requirements of the network (NPSET Policy 3). It is not always practicable to remedy or mitigate all adverse effects.	
31.50	<b>Rules – National Grid Rules</b>  <i>The rules in this chapter apply to network utility operators only. The rules are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:</i> <ul style="list-style-type: none"> <li>• NU - Table 1 - Activities Rules; and</li> <li>• NU - Table 2 - Performance Standards; and</li> <li>• Unless specifically referenced in a rule, Part 2 District-Wide Matters do not apply except for the following chapters: Strategic direction, urban form and development, contaminated land, hazardous substances, financial contributions, hapori whānui, activities on the surface of water, relocated buildings and temporary activities; and</li> <li>• Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply.</li> </ul>	<b>Decision:</b> Support. Retain the introductory text to the rules.  <b>Reasoning:</b> Transpower supports the rules overview text as it assists with plan interpretation and application.	S42A Recommendation (NU): Accept  Overview is retained as notified.	The recommendation is supported as the overview is retained as notified.
31.51	<b>NU – R1</b>	<b>Decision sought:</b> retain rule	S42A Recommendation (NU): Accept  Rule is retained as notified.	The recommendation is supported as the rule is retained as notified
31.52	<b>Nu – R4</b>	<b>Decision sought :</b> retain rule	S42A Recommendation (NU): Accept  Rule is largely retained as notified.	The recommendation is supported as the rule is largely retained as notified
31.53	<b>NU – R19</b>	<b>Decision sought:</b> retain rule	S42A Recommendation (NU): Accept in part  The rule is largely retained as notified with one amendment.  <i>211. TLC [25.13] sought an amendment so that the activity includes associated ‘equipment’. The submission clarified that the intention is to include pole mounted equipment by NU-R19.</i>  <i>212. A review of the performance standards in NU-R44 leads me to the conclusion that the intention is that equipment is captured by the rules. The performance standards in NU-R44 reference items such as conductors, cross arm, switch, transformer, insulators, lightning rods, voltage regulators, other ancillary equipment. I therefore recommend that the submission from TLC [25.13] be accepted and Rule NU-R19 be amended as follows:</i>	The recommendation is supported as the rule is largely retained as notified, with the amendment acceptable as it provides clarity on the application of the rule.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			<i>NU-R19. New overhead lines and associated <u>equipment</u>, poles or towers.</i>	
31.54	NU – R20	<b>Decision sought:</b> retain rule	S42A Recommendation (NU): Accept  Rule is retained as notified (refer para 213 onwards)	The recommendation is supported as the rule is retained as notified
31.55	NU – R30	<b>Decision sought (taken from S42A report):</b> Amend NU-R30 to clarify the activities anticipated to be subject to NU-R30, and amend the activity status to discretionary should it apply to any National Grid activities.  Or  Reject Amend NU-R30 to clearly state it does not apply to the National Grid. And Any consequential amendment	S42A Recommendation (NU):Reject  <i>183. Rule NU-30 New network utilities not otherwise provided for in Table 1 is designed to capture activities not provided for elsewhere in Table 1. The activity status varies depending on what zone, overlay, scheduled site or feature an activity is located in. Due to its broad catchall nature, the effects of activities captured by this rule could vary from minor through to significant.</i>  <i>187. Transpower [31.55] sought clarification of the activities anticipated to be subject to NU-R30, and amend the activity status to discretionary should it apply to any National Grid activities. Alternately, Transpower seeks the rule clearly state it does not apply to the National Grid. The intention is for the rule to apply to activities that are not covered by another rule in NU-Table 1. I am not averse to a catchall rule specific to the National Grid, but it would be helpful for me if Transpower to provide examples of its activities and structures that are not covered by another rule in NU-Table 1. That way I can better understand the scale and type of activity that such a catchall rule may apply to, and make recommendations accordingly.</i>	Accept the recommendation on the basis of rules R19 and R20 which would be the relevant and applicable rules for the development of new National Grid assets.
31.56	NU – R33	<b>Decision sought (taken from S42A report :</b> Amend NU-R33 to make earthworks associated with the National Grid no worse than a discretionary activity.  And  Any consequential amendments.	S42A Recommendation (NU): Accept  <i>261. Five submissions were received to rule NU-R33 Earthworks. Of those, four submissions sought either relocation of the provision to another chapter or amendments to the provision. Earthworks is not in and of itself an activity in the context of network utilities; it is very unlikely that a network utility operator would undertake earthworks without it being a necessary requirement of some other activity such as installing a new pole, or accessing an underground pipe. Therefore it is a little unusual that the location of the earthworks rule is in NU-Table 1 which is where the activities are located. If the Panel were of a mind to restructure to the Network Utilities chapter, I would support relocating it to NU-Table 2 where it would perform as a standard rather than an activity.</i>  <i>268. Transpower [31.56] sought amendments to Rule NU-R33 to make earthworks associated with the national grid no worse than a discretionary activity. Given the national significance of the National Grid and the NPSET, Transpower opposed the non-complying activity status for earthworks, and instead sought an activity no more onerous than discretionary, thereby reflecting the ‘seek to avoid’ policy approach sought for the National Grid.</i>	The recommended is supported noting the change in activity status reflects that sought in the Transpower submission. Existing transmission lines are regulated by the NESETA so the rule would apply to earthworks with the construction of new lines.  The DIS activity status gives effect to the NPSET.



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
			<p>The most onerous activity status in NU-R33 is attributed to Outstanding Natural Features B and E and is non-complying. While these are the most fragile landforms (as described in the Natural Features and Landscapes chapter) I consider that attributing a discretionary activity status to the National Grid is an appropriate way to balance the two matters of national importance.</p> <p>269. For the above reasons, I recommend accepting the submission from Transpower [31.56] and making the following amendments to NU-R33:</p> <p>Amend the activity status for earthworks related to the National Grid in Outstanding natural features Category B and E from NC to Disc, as follows</p> <div> <p><b>DIS:</b> Significant archaeological sites <sup>30</sup></p> <p><b>DIS:</b> Earthworks related to the National Grid in Outstanding natural features Category B and E <sup>31</sup></p> <p><b>NC:</b> Outstanding natural features Category B and E</p> </div> <p>....</p> <p>PER activities that do not comply with NU-R33.1 through to NU-R33.3 are RDIS activities, except within outstanding natural features (category A, C, D and F), areas of outstanding natural character and high/very high natural character where they become a NC activity <u>or where associated with the National Grid they become DIS.</u></p>	
31.57	NU – R37	<p><b>Decision sought:</b> Amend NU-R37 to make removal of any indigenous vegetation associated with the National Grid no worse than a discretionary activity.</p> <p>And</p> <p>Any consequential amendments.</p>	<p>S42A Recommendation (NU): Accept</p> <p>286. Transpower [31.57] sought that NU-R37 be amended to make removal of indigenous vegetation associated with the National Grid no worse than a Discretionary activity.</p> <p>287. The most onerous activity status in NU-R37 is attributed to removal of indigenous vegetation in an Outstanding Natural Character and is non-complying. I consider that attributing a discretionary activity status to the National Grid is an appropriate way to balance the two matters of national importance.</p> <p>The rule is amended as follows:</p> <p><u>DIS: Removal of indigenous vegetation relates to the National Grid in Outstanding natural character</u></p>	<p>The recommendation is supported noting the change in activity status reflects that sought in the Transpower submission, and gives effect to the NPSET.</p>

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
31.58	NU – R38	<b>Decision sought:</b> retain rule	S42A Recommendation (NU): Accept Rule is retained as notified.	The recommendation is supported as the rule is retained as notified.
31.59	NU – R40	<b>Decision sought:</b> retain rule	S42A Recommendation (NU): Accept Rule is retained as notified (with a minor amendment to standard 2. to include reference to ‘line’.	The recommendation is supported as the rule is retained as notified.
31.51 - 60	<b>Rules – National Grid Rules</b> <i>NU-R1 National Grid existing electricity transmission lines</i> <i>NU-R4 New and extended or upgraded access tracks</i> <i>NU-R19 New overhead lines and associated poles or towers</i> <i>NU-R20 New substations, ground mounted transformers, compressor/scrapper stations, gas regulation valves and/or take off stations and ancillary energy storage batteries</i> <i>NU-R30 New network utilities not otherwise provided for in Table 1</i> <i>NU-R33 Earthworks</i> <i>NU-R37 Removal of indigenous vegetation</i> <i>NU-R38 New buildings adjacent to the open coast</i> <i>NU-R39 Buildings adjacent to Kawhia harbour or adjacent to a river in the coastal marine area</i> <i>NU-R40 Buildings and structures adjacent to a water body</i>	<b>Decision:</b> Support and amend. <ul style="list-style-type: none"> <li>- Retain NU-R1</li> <li>- Retain NU-R4</li> <li>- Retain NU-R19</li> <li>- Retain NU-R20</li> <li>- Clarify the activities anticipated to be subject to NU-R30, and amend the activity status to discretionary should it apply to any National Grid activities. Alternately, Transpower seeks the rule clearly state it does not apply to the National Grid.</li> <li>- NU-R33 – amend the activity status for the National Grid to make earthworks associated with the National Grid no worse than discretionary.</li> <li>- NU-R37 – amend the activity status for the National Grid to make removal of indigenous vegetation associated with the National Grid no worse than discretionary.</li> <li>- Retain NU-R38</li> <li>- Retain NU-R39</li> <li>- Retain NU-R40</li> </ul> <b>Reasoning:</b> NU-R1 – the rule is supported as it correctly defers to the NESETA for existing electricity transmission lines. NU-R4 - while not directly applicable to the National Grid given the NESETA, Transpower supports the rule as it recognises the access requirements of network utilities. NU-R19 – Transpower supports the activity status for new overhead lines and towers and poles. It is noted these terms (lines, towers and poles) and the provision of definitions may be helpful to assist with plan interpretation. NU-R20 – Transpower supports the activity status for new substations. NU-R30 – While Transpower is not opposed to R30 (Network utilities not otherwise provided for), it is not clear what activities the rule would capture. Should the rule capture any National Grid activities, Transpower seeks amendment of the activity status to discretionary, or the National Grid be excluded from the rule. NU-R33 – Given the national significance of the National Grid and the NPSET, Transpower opposes the non-complying activity status for earthworks, and instead seeks an activity no more onerous than discretionary, thereby reflecting the ‘seek to avoid’ policy approach sought for the National Grid. NU-R37 - Given the national significance of the National Grid and the NPSET, Transpower opposes the non-complying activity status for removal of indigenous vegetation within areas of Outstanding Natural Character, and instead seeks an	S42A Recommendation (NU): Accept in part These points are addressed above in details.	Refer above responses as provided in specific rules.

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		<p>activity no more onerous than discretionary, thereby reflecting the ‘seek to avoid’ policy approach sought for the National Grid. It is noted the rule applies to all indigenous vegetation and not only that identified within an SNA, and for areas of ONC, a non complying activity is triggered regardless of the area or extent of clearance.</p> <p>NU-R38 – The rule and activity status for buildings adjacent to the open coast is supported.</p> <p>NU-R39 - The rule and activity status for buildings adjacent to the Kawhia Harbour or adjacent to a river in the CMA is supported.</p> <p>NU-R40 - The rule and activity status for buildings and structures adjacent to a water body is supported.</p>		
Natural Environment Values				
26. Ecosystems and Indigenous Biodiversity				
31.62	General Comment on whole Chapter and ECO-O1, O4, O5 and polices ECO-P1, P2, P3, P4, P5, P6, P11, and P13)	<p><b>Decision:</b> Support /Amend. On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 26 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid within Chapter 26 (and specifically objectives ECO-O1, O4, O5 and polices ECO-P1, P2, P3, P4, P5, P6, P11, and P13) to give effect to the NPSET.</p> <p><b>Reasoning:</b> Chapter 26 contains no specific references to infrastructure or network utilities. Instead, Chapter 19 provides a specific rule and policy framework for network utilities with specific National Grid policies provided (NU-P20 – P22). Included in Chapter 19 are specific and general polices relating to indigenous biodiversity (including within SNA’s).</p> <p>Specific to rules, the introduction to the rules in the Network Utilities Chapter 19 provides:</p> <p><i>The rules in this chapter apply to network utility operators only. The rules are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:</i></p> <p><i>NU - Table 1 - Activities Rules; and</i></p> <p><i>NU - Table 2 - Performance Standards; and</i></p> <p><i>Unless specifically referenced in a rule, Part 2 District-Wide Matters do not apply except for the following chapters: Strategic direction, urban form and development, contaminated land, hazardous substances, financial contributions, hapori whānui, activities on the surface of water, relocated buildings and temporary activities; and</i></p> <p><i>Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply.</i></p> <p>Based on the above, and the specific provision of National Grid policies within Chapter 19 which have a seek to avoid approach to indigenous biodiversity and the precedence clause within NU-P22(6), the interpretation of the PDP is that Chapter 19 prevails.</p> <p>On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 26 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid within Chapter 26 (and</p>	<p>S42A Recommendation (Ecosystems and IB): Accept in part</p> <p><i>178. Transpower has made a placeholder submission requesting the Ecosystems and Indigenous Biodiversity chapter recognises the National Grid in the event that the specific National Grid policies in the National Electricity and Gas Transmission (NGET) Chapter do not prevail. It is the intention of this plan to manage activities which affect the national grid through the NGET provisions and to provide specific provisions relating to indigenous vegetation within and outside SNAs through NU-R37 and the supporting policy framework in the network utilities chapter. Accordingly, it is recommended that this submission point is accepted in part.</i></p>	<p>The recommendation is accepted on the basis the intent is the NU and NEGТ chapters be stand alone and address the issue of IB. While I accept the above, I consider there is the potential for confusion as to the relationship between the chapters in that the Network Utilities Chapter and National Electricity and Gas Transmission Chapters have the preface before the policies “Refer also to the relevant policies in Part 2 District -Wide matters and Part 3 - Area Specific Matters.”</p> <p>While I am comfortable in relation to the National Grid specific policies NU-P20, NU-P21 and NU-P22 (in that the officer has recommended the</p>

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		specifically objectives ECO-O1, O4, O5 and policies ECO-P1, P2, P3, P4, P5, P6, P11, and P13) to give effect to the NPSET.		‘precedence’ clause, I do see the potential for confusion.
<b>27. Natural Character</b>				
<b>31.63</b>	General Comment on whole Chapter and NATC-P1 and P2	<p><b>Decision:</b> Support/ Amend. On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 27 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies NATC-P1, and P2) to give effect to the NPSET.</p> <p><b>Reasoning:</b> Chapter 27 contains no specific references to infrastructure or network utilities.</p> <p>Chapter 19 provides a specific rule and policy framework for network utilities with specific National Grid policies provided (NU-P20 – P22).</p> <p>The introduction to the rules in the Network Utilities Chapter 19 provides:</p> <p><i>The rules in this chapter apply to network utility operators only. The rules are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:</i></p> <p><i>NU - Table 1 - Activities Rules; and</i></p> <p><i>NU - Table 2 - Performance Standards; and</i></p> <p><i>Unless specifically referenced in a rule, Part 2 District-Wide Matters do not apply except for the following chapters: Strategic direction, urban form and development, contaminated land, hazardous substances, financial contributions, hapori whānui, activities on the surface of water, relocated buildings and temporary activities; and</i></p> <p><i>Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply.</i></p> <p>Based on the above, and the specific provision of National Grid policies within Chapter 19 which have a seek to avoid approach to PDP Schedule 10 and 11 sites, and the precedence clause within NU-P22(6), the interpretation of the PDP is that Chapter 19 prevails.</p> <p>On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 27 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies NATC-P1, and P2) to give effect to the NPSET.</p>	<p>S42A Recommendation (NC): Accept in part</p> <p><i>47. Transpower has made a placeholder submission requesting the natural character chapter recognises the National Grid in the event that the specific National Grid policies in the National Electricity and Gas Transmission (NGET) Chapter do not prevail. It is the intention of this plan to manage activities which affect the national grid through the NGET provisions and to provide specific provisions relating to natural character through rules and the supporting policy framework in the network utilities chapter. Accordingly, it is recommended that this submission point is accepted in part.</i></p>	<p>The recommendation is accepted on the basis the intent is the NU and NEGТ chapters be stand alone. While I accept the above, I consider there is the potential for confusion as to the relationship between the chapters in that the Network Utilities Chapter and National Electricity and Gas Transmission Chapters have the preface before the policies “Refer also to the relevant policies in Part 2 District -Wide matters and Part 3 - Area Specific Matters.”</p> <p>While I am comfortable in relation to the National Grid specific policies NU-P20, NU-P21 and NU-P22 (in that the officer has recommended the ‘precedence’ clause, I do see the potential for confusion.</p>
<b>28. Natural Features and Landscapes</b>				
<b>31.64</b>	General Comment on whole Chapter and NFL-P1, P3 and P4	<p><b>Decision:</b> Amend. On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 28 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies NFL-P1, P3, and P4) to give effect to the NPSET.</p>	<p>S42A Recommendation (NFL): Accept in part</p> <p><i>90. Transpower has made a placeholder submission requesting the Natural Features and Landscapes chapter recognises the National Grid in the event that the specific National Grid policies in the National Electricity and Gas Transmission (NGET) Chapter</i></p>	<p>The recommendation is accepted on the basis the intent is the NU and NEGТ chapters be stand alone .While I accept the above, I</p>



Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
		<p><b>Reasoning:</b> Chapter 19 provides a specific rule and policy framework for network utilities, with specific National Grid policies provided (NU-P20 – P22). The National Grid specific policies adopt a seek to avoid approach for PDP Schedule 7 and 9 features, noting that policy NU-P21 does not reference schedule 9 as there are no existing National Grid assets within PDP schedule 9 sites.</p> <p>The introduction to the rules in the Network Utilities Chapter 19 provides:</p> <p><i>The rules in this chapter apply to network utility operators only. The rules are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:</i></p> <p><i>NU - Table 1 - Activities Rules; and</i></p> <p><i>NU - Table 2 - Performance Standards; and</i></p> <p><i>Unless specifically referenced in a rule, Part 2 District-Wide Matters do not apply except for the following chapters: Strategic direction, urban form and development, contaminated land, hazardous substances, financial contributions, hapori whānui, activities on the surface of water, relocated buildings and temporary activities; and</i></p> <p><i>Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply.</i></p> <p>While the National Grid is addressed within Chapter 18 National Electricity and Gas Transmission and Chapter 19 Network Utilities, it is noted Infrastructure is referenced within NFL-P1.2 and NFL-P4.2. Arguably the term ‘Infrastructure’ applies to the National Grid. While the rules within Chapter 28 do not apply to the National Grid, the application of the policies is unclear.</p> <p>Based on the above, and the specific provision of National Grid policies within Chapter 19 which have a seek to avoid approach to PDP Schedule 7 and 9 sites, and the precedence clause within NU-P22(6), the interpretation of the PDP is that Chapter 19 prevails.</p> <p>On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 28 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies NFL-P1, P3, and P4) to give effect to the NPSET.</p>	<p><i>do not prevail. It is the intention of this plan to manage activities which affect the national grid through the NGET provisions and to provide specific provisions relating to landscapes through rules and the supporting policy framework in the network utilities chapter. Accordingly, it is recommended that this submission point is accepted in part.</i></p>	<p>consider there is the potential for confusion as to the relationship between the chapters in that the Network Utilities Chapter and National Electricity and Gas Transmission Chapters have the preface before the policies “Refer also to the relevant policies in Part 2 District -Wide matters and Part 3 - Area Specific Matters.”</p> <p>While I am comfortable in relation to the National Grid specific policies NU-P20, NU-P21 and NU-P22 (in that the officer has recommended the ‘precedence’ clause I do see the potential for confusion</p>
<b>Part 3 – Area Specific Matters and Part 4 – Appendices and Maps</b>				
<b>Mapping and Designations</b>				
<b>31.76</b>	<i>National Grid line</i>	<p><b>Decision:</b> Support. Retain the identification of the National Grid line on the planning maps.</p> <p><b>Reasoning:</b> Policy 12 of the NPSET requires territorial authorities to “identify the electricity transmission network on their relevant planning maps whether or not the network is designated”.</p> <p>Transpower supports the identification of the ‘National Grid Line’ on the planning maps. The single line reflects the symbol within table 20 of the National Planning Standards</p>	S42A Recommendation (Miscellaneous): Accept	The recommendation is supported on the basis no changes are recommended.
<b>55. Designations</b>				

Sub Ref	Specific plan provision that submission relates to	Position, Summary of Submission and Decision Requested	S42A Response	Response to S42A Recommendations
31.77	Designation TPR01	<b>Decision:</b> Support. Retain the designation. <b>Reasoning:</b> Transpower supports the identification of the substation.	S42A Recommendation (Designations): Accept  Comment made that the hearing panel should recommend to the RA's that they rollover their designations as notified without requesting modification as requested in submissions.	The recommendation is supported on the basis no changes are recommended.