

**Before the Proposed Central Hawke's Bay District Plan Hearings  
Panel**

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Under the Resource Management Act 1991 (the Act)

In the matter of the Proposed Central Hawke's Bay District Plan –  
Hearing Stream 3:

**Rural Environment:**

**Rural Land Resource, General Rural Zone, Rural  
Production Zone, Rural Lifestyle Zone, and  
Subdivision - Rural.**

Between **Central Hawke's Bay District Council**  
Local authority

And **Transpower New Zealand Limited**  
Submitter 79 and Further Submitter FS18

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

Dated 31 May 2022

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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. Within the Central Hawke’s Bay District, Transpower’s assets include two transmission lines and associated infrastructure including a substation.
- 1.2. Transpower’s submission on the Proposed Central Hawke’s Bay District Plan (‘**PDP**’) was largely in support of the proposed provisions, with specific refinements sought as opposed to wholesale changes. In particular, Transpower supported the inclusion of provisions specific to the National Grid to give effect to the National Policy Statement on Electricity Transmission 2008 (“**NPSET**”).
- 1.3. This is the first hearing on the PDP at which Transpower is presenting evidence. As such, in addition to addressing the Hearing 3 submission points, my evidence and the Transpower evidence of Mr Campbell and engineering evidence of Cartwright all provide contextual information on the National Grid, including its role and function, operational and technical requirements and the planning policy framework.
- 1.4. The need to operate, maintain, upgrade and develop the electricity transmission network is recognised as a matter of national significance through the 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 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 lines. Within this area “sensitive” activities are not supported, 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. The three primary reasons for restricting activities within the buffer corridor are:

- Electrical risk;
- Annoyance caused by transmission lines (including reverse sensitivity); and
- Restrictions on the ability for Transpower to access, maintain, upgrade and develop the lines, as well as compromising the assets themselves.

1.5. Specific to Hearing Stream 3, the matters of relevance to Transpower relate to c. *Managing the effects on the National Grid*. In summary Transpower sought in its submission:

- Amendments to the definition of ‘sensitive activities’
- Amendment to the rural zone policies
- Amendment to the National Grid rule framework to provide one permitted and one non-complying rule within the Network Utilities chapter as opposed to the National Grid rules being referenced across the two rural zone chapters
- Insertion of a new non-complying clause; and
- Minor amendment to the ‘setback from National Grid Yard and National Grid Substation’ standards (GRUZ-S13 and RPROZ-S15) including:
  - Removal of the requirement for a 25 m setback from a National Grid substation;
  - Amendment to reflect the required 12 m setback from support structures, as opposed to 8 m setback as notified.

1.6. In this evidence I broadly categorise Transpower’s submissions points under four ‘topics’:

1. Definition
2. Plan Structure
3. Rural zone(s) Policies
4. National Grid Yard Rules

- 1.7. With respect to the definition of 'Sensitive activities', I accept the officer recommendation to provide a National Grid specific definition of sensitive activities.
- 1.8. With respect to the Plan Structure, as part of its submission Transpower sought that the National Grid Yard provisions be moved to the Network Utilities Chapter for a coherent and complete standalone set of provisions for the National Grid. Notwithstanding in my opinion the relocation would improve plan interpretation and application, I understand the officer reasoning<sup>1</sup> on this submission point and therefore have not pursued the relief sought in this evidence.
- 1.9. With respect to the Rural zone policies (RLR-P4, GRUZ-P2, PROZ-P2) I support the recommended amendments to RLR-P4, and accept the recommendation on GRUZ-P2 and PROZ-P2 on the basis the policies refer to 'operational or functional need'.
- 1.10. With respect to National Grid Yard rules and associated standards (GRUZ-R1-R3, R5-R12, R14-R19 and GRUZ-S13, PROZ-R1-R3, R5-R12, R14 and R19 and PROZ-S15) the changes sought in the Transpower submission to the National Grid Yard provisions can be categorised into the following four issues:
1. Restructuring of the National Grid Yard provisions
  2. The New Zealand Electrical Code of Practice for Electrical Safe Distances (**"NZECP 34:2001"**)
  3. Setback from National Grid support structures
  4. Access
- 1.11. I largely accept the officer recommendations on the above issues, subject to the following:
- In lieu of the restructuring of the National Grid Yard provisions, a number of GRUZ and RPROZ activity rules be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply; and
  - The NZECP 34:2001 clause 2.b.i. within GRUZ-S13 and RPROZ-S15 not be deleted as recommended by the s42A Report, and instead be retained.

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<sup>1</sup> S42A Report, Vol 4, para 2.3.6

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## 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 25 years' experience as a resource management planner.
- 2.3. I have been a planning consultant based in Wellington for the past 20 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 been involved with preparing submissions/ hearing evidence on numerous planning documents (including district plans, regional plans, regional policy statements and plan changes) over the past 15 years.
- 2.5. My evidence is given in support of Transpower's submission on the Proposed Central Hawke's Bay District Plan ('PDP').
- 2.6. 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.
- 2.7. I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note (2014), 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.

- 2.8. My evidence covers all the submission points (34 original and six further) lodged by Transpower to Hearing Stream 3.

### 3. Scope of Evidence

- 3.1. Transpower's submission on the Proposed Central Hawke's Bay District Plan ("PDP") was largely in support of the proposed provisions, with specific refinements sought as opposed to wholesale changes. In particular, Transpower supported the inclusion of provisions specific to the National Grid to give effect to the National Policy Statement on Electricity Transmission 2008 ("NPSET").
- 3.2. While the majority of Transpower's submission points will be addressed at subsequent hearings, as this is the first hearing at which Transpower has appeared before the Hearings Panel on the PDP, I consider that it would be helpful at this initial hearing to outline Transpower's interests in the Central Hawke's Bay district as well as the specific policy framework associated with the National Grid. This information, in turn, can then provide a useful basis to inform subsequent hearings. 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 Hearing Stream 3 Section 42A Report on Transpower's submission points.
- 3.3. My evidence should be read together with the evidence of Mr Dougall Campbell who describes Transpower and the National Grid, and addresses the nature of Transpower's assets in the Central Hawkes Bay District, and the engineering evidence of Mr Ben Cartwright.

#### **4. The National Grid and Transpower's Assets with Central Hawke's Bay**

##### **Assets within Central Hawke's Bay**

- 4.1. Transpower owns and operates three key assets associated with the National Grid within Central Hawke's Bay, being the Waipawa Substation on Onga Onga Road, and the 110 kV Fernhill – Woodville A and B lines. The lines are generally on single poles, with towers used for river crossings. The assets are primarily located within the Rural Production Zone (RPROZ), with the assets north of the Mangaonuku Stream located in the General Rural Zone (GRUZ).
- 4.2. Details of the existing National Grid assets within the district, are provided in the evidence of Mr Campbell.
- 4.3. As outlined by Mr Cartwright, typical maintenance activities required to ensure the ongoing operation and maintenance of National Grid assets include foundation refurbishment; tower refurbishment (including abrasive blasting and painting); conductor and insulation maintenance or replacement; and vegetation and tree control.

#### **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 NPSET and the supporting Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ('NESETA'), the New Zealand Coastal Policy Statement 2010 ('NZCPS'), and to a lesser extent the National Policy Statement on Urban Development 2020 ('NPS-UD'), and National Policy Statement for Freshwater Management 2020 ('NPSFM'). Addressing the interface between these various policy statements and how they are read together is a key aspect of the relief sought by Transpower.

##### **National Policy Statement Relationship**

- 5.2. 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 RMA policy/plan 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.



- 5.3. In my experience to date (in reconciling the NPSET and NZCPS) the relationship between the directives contained within the various NPS's needs to be carefully assessed and a plan related policy framework developed 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.
- 5.4. An overview of the respective NPS's of relevance to the NPSET is provided in the following sections of my evidence.

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

- 5.5. 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**.
- 5.6. 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 NPSET is comprised of one objective and 14 policies, all of which address the environmental effects of transmission and the management of adverse effects on the National Grid. There are three broad aspects to the NPSET which must be given effect to in local authority policies and plans, as follows:
- 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 its national benefits.
  - b. **Managing the effects of the National Grid:** 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.
  - c. **Managing the effects on the National Grid:** 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'.

5.8. 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.*

5.9. 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.

5.10. The NPSET policies give direction on how to achieve the objective, including recognising and providing for the benefits of electricity transmission and managing 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.

5.11. 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.

5.12. Policies 2 to 9 relate to managing 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.*

5.13. As outlined in the evidence of Mr Campbell Transpower is conscious that the anticipated decarbonisation of New Zealand's economy is likely to ultimately require sustained investment in Transpower's assets 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.

5.14. Policies 10 and 11 of the NPSET set out clear directives concerning management of adverse effects of subdivision, land use and development activities on the transmission network, including informing how adverse effects on the National Grid are to be managed through planning provisions.

5.15. These, in turn, are crucial matters that need to be given effect to in District Plans. Policy 10 is as follows:

*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.*

5.16. Policy 11 relates to the development of buffer corridors, and is as follows (emphasis added):

*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).*

#### **New Zealand Coastal Policy Statement 2010**

5.17. The statutory purpose of the NZCPS is to state objectives and policies “*in order to achieve the purpose of [the RMA] in relation to the coastal environment of New Zealand*”.

5.18. The policies in the NZCPS establish a comprehensive regime for managing the effects of activities on the coastal environment (noting the coastal marine area is not governed by the PDP). Policy 6 specifically addresses activities in the coastal environment, with some marine activities addressed more explicitly in Policies 8 and 9. Policy 7 addresses the need for a strategic planning approach. Policies 11, 13 and 15 address

high value natural areas. Critically, those policies require adverse effects of activities on the 'highest value' natural areas to be avoided.

- 5.19. There are no existing National Grid assets within the Coastal Environment in the Central Hawke's Bay. As such, the NZCPS would only be relevant for any new assets to be located within proximity of the coast.

#### **National Policy Statement on Urban Development 2020**

- 5.20. Under the National Policy Statement on Urban Development 2020 ("**NPS-UD**"), Central Hawke's Bay Council is a Tier 3 Local Authority as it contains an urban environment (population over 10,000) that is not specified as Tier 1 or 2. As a Tier 3 Local Authority, the Council is not automatically subject to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. No Order in Council has been made to require the Council to prepare and notify an intensification planning instrument (IPI).
- 5.21. Given existing National Grid assets within the district are not located within urban areas, the NPS-UD is not relevant to the National Grid.

#### **National Policy Statement for Freshwater Management 2020**

- 5.22. The NPSFM and National Environmental Standards for Freshwater Management 2020 ("**NES Freshwater**") form part of a wider 'Action for Healthy Waterways' package. The one objective and 15 policies of the NPSFM form a clear policy directive to maintain or enhance water quality and the ecological health of water bodies. The relevance of the NPSFM and NES Freshwater to Transpower in context of the PDP (as a district plan) is limited to earthworks and vegetation clearance within proximity of a wetland. In my opinion, no direct conflict exists at a NPS level noting that the National Grid is afforded a discretionary activity status for such works under the NES Freshwater and, although it would be applied at a regional level, NPSFM Subpart 3 Specific Requirement 3.22 recognises the National Grid (as specified infrastructure) as an exception from the 'avoid' policy directive within Subpart 3 Specific Requirement 3.22.

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

- 5.23. The 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). The transmission lines within Central Hawke's Bay described in Mr Campbell's evidence are subject to the NESETA as 'existing transmission lines'.

- 5.24. The relationship between the NESETA and the district plan is such that the NESETA generally prevails. However, for some activities (including earthworks and vegetation removal), the NESETA defers to the district plan provisions in determining the applicable activity status under the NESETA.

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

- 6.1. The Regional Resource Management Plan (RRMP) for the Hawkes Bay contains the Regional Policy Statement (RPS) for the region. The plan was made operative in 2006. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement (as well as any NPS).
- 6.2. While a strong focus of the RPS is on aligning development with infrastructure capacity, there is policy recognition of the role and functioning of infrastructure. The only explicit reference to the National Grid is in relation to the identification of the National Grid within Structure Plans (POL UD10.3). It is noted the RRMP was made operative two years prior to the NPSET being gazetted and therefore it arguably does not give effect to the NPSET.
- 6.3. General infrastructure related objectives and policies are as follows:

*OBJ 32 The ongoing operation, maintenance and development of physical infrastructure that supports the economic, social and/or cultural wellbeing of the region's people and communities and provides for their health and safety.*

*OBJ 33 Recognition that some infrastructure which is regionally significant has specific locational requirements.*

*OBJ 33A Adverse effects on existing physical infrastructure arising from the location and proximity of sensitive land use activities are avoided or mitigated.*

*OBJ 33B Adverse effects on existing landuse activities arising from the development of physical infrastructure are avoided or mitigated in a manner consistent with Objectives 16, 17, 18, 32 and 33.*

*OBJ UD1 Establish compact, and strongly connected urban form throughout the Region, that:*

*...b) avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;*

*c) avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure.*

*NEW RESIDENTIAL GREENFIELD GROWTH AREA CRITERIA (HERETAUNGA PLAINS SUB-REGION) POL UD4.2*

*In determining future Residential Greenfield Growth Areas, not already identified within Policy UD4.3, for inclusion within urban limits in the Heretaunga Plains sub-region, the following general criteria shall apply:*

*.....*

*h) An appropriate separation distance from electricity transmission infrastructure should be maintained in order to ensure the continued safe and efficient operation and development of the electricity transmission network.*

*MATTERS FOR DECISION-MAKING (REGION) POL UD12*

*In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities<sup>1f</sup> shall have regard to:*

*.....*

*l) Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;*

*m) Avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure, to the extent reasonably possible;*

- 6.4. The above objectives and policies recognise the importance of infrastructure, its locational constraints, and the effect of activities on infrastructure. Specific to the National Grid (which provides electricity transmission) in addition to the requirement to identify the National Grid on structure plans, POL UD4.2 recognises the need to

provide adequate separation distances, noting this policy is only applicable to the New Residential Greenfield growth area.

- 6.5. As an advocacy method, the Regional Council will *Promote setbacks and buffer zones to protect the ongoing operation, maintenance and development of strategic infrastructure* (MET UD1).

## 7. Transpower Submission on the Proposed Central Hawke's Bay 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.

7.2. I note that Transpower seeks to retain a large number of the notified provisions and that it is broadly supportive of the approach adopted in the PDP. Specifically, Transpower supports the provision of a framework of objectives, policies and rules that recognises and appropriately provides for the National Grid.

7.3. In terms of amendments sought, the two main themes within Transpower's submission are that:

- The policy framework for the National Grid requires refinement to better reflect and give effect to the NPSET; and
- Amendments are required to the rule framework, specifically to the rules relating to buildings, structures, sensitive land uses, earthworks and subdivision in proximity of the National Grid. The location of National Grid specific rules was also a common theme, with the preference for all the relevant rules to be placed within the Network Utilities Chapter as opposed to being dispersed throughout the PDP.

7.4. Specific amendments sought by Transpower concerning the provisions in the PDP include the following (noting that matters addressed at Hearing Stream 3 are identified by an asterix):

- **Chapter 3 Interpretation - Definitions:** The majority of the definitions are supported, including the National Grid specific definitions. An amendment is sought to the definition of \*sensitive activity to make it more applicable to the National Grid context.
- **Part 2 Energy, Infrastructure and Transport – Network Utilities:** The majority of the submission points related to the Network Utility provisions. While the

submission supports a specific Network Utilities Chapter (as the provision of a chapter reflects the mandatory direction in the National Planning Standards), the submission raises concerns the majority of the provisions do not specifically address the National Grid, rather group all Network Utilities together. In order to give effect to the NPESET, Transpower seeks a National Grid specific policy and amendment to NU-P5. Clarification is also sought as to the relationship of the Network Utilities chapter to other chapters in the PDP. The rules are largely supported noting the NESETA prevails for existing National Grid assets.

- **Part 2 Renewable Energy:** The provisions are largely supported.
- **Part 2 Natural Hazards, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes, and Coastal Environment:** The main Transpower comments on these chapters seeks clarity on the relationship of the chapters to Network Utilities.
- **Part 2 Subdivision:** Transpower seeks the relocation of the National Grid subdivision provisions to the Network Utilities chapter, and the provision of a specific National Grid Subdivision Corridor specific rule. A change in activity status from controlled to restricted discretionary is also sought.
- **Part 2 Earthworks:** The earthwork rules are supported.
- **\*Part 3 Rural Zones:** The Transpower submission seeks amendment to the National Grid rule framework to provide one permitted and one non-complying rule within the Network Utilities chapters as opposed to the National Grid rules being referenced across multiple rules. The other two primary changes include insertion of a new non-complying clause and minor amendment to the 'setback from National Grid Yard and National Grid Substation' rule. Confined policy amendments are also sought.
- **Planning maps:** Amend the notation on the planning maps to include specific reference to the "National Grid Transmission Line".

7.5. In addition to its original submission, Transpower has lodged 34 further submissions on the PDP.

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

8.1. The following section responds to the Hearing Stream 3: s42A Report recommendations on Transpower's submission points. I broadly categorise Transpower's submission points under 4 'topics':



- Definition
  - Plan Structure
  - Rural zone Policies
  - National Grid Yard Rules
- 8.2. Attached as Appendix B is a summary table of all the Transpower submission points relating to Hearing 3 and whether the s42A Report recommendations are accepted, supported or opposed.

### **Definition**

- 8.3. I accept<sup>2</sup> the officer recommendation to provide a National Grid specific definition of sensitive activities that reflects the NPSET. While I note the NPSET definition is not exhaustive, given the context of the location of the National Grid assets within the Hawke's Bay, I consider the definition appropriate and workable.

### **Plan Structure**

- 8.4. In its submission Transpower sought the relocation of the National Grid specific rules from the General Rural zone chapter (GRUZ) and the Rural Primary Production zone chapter (RPROZ) to the Network Utilities Chapter. I remain of the viewpoint that the relocation would improve plan efficiency and interpretation in that it would avoid duplication and provide a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.
- 8.5. Notwithstanding the above, I understand the officer reasoning<sup>3</sup> and therefore have not pursued the relocation sought in this evidence.

### **Rural zone(s) Policies**

- 8.6. I support the recommendation to amend policy RLR-P4<sup>4</sup>. The reference to operational or functional need is supported. I accept the recommendation on GRUZ-P2<sup>5</sup> and

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<sup>2</sup> S79.013

<sup>3</sup> S42A Report, Vol 4, para 2.3.6

<sup>4</sup> S79.016

<sup>5</sup> S79.096

PROZ-P2<sup>6</sup> on the basis the recommended policies refer to 'operational or functional need'.

### **National Grid Yard Rules**

8.7. Notwithstanding the sought relocation of the National Grid Yard rules into the Network Utilities Chapter, Transpower sought a number of refinements to the National Grid Yard rules. I note the relief sought in the submission appears more substantive in terms of the changes sought given the sought relocation and restructure of the rules. However, the actual changes sought to the provisions themselves are discrete (being removal of the reference to the 25 m setback from the National Grid substation, and amendment to the standards to provide a 12 m setback (with exemptions) from support structures as opposed the 8 m notified.) Transpower supported the default non-complying activity status.

8.8. The changes sought in the Transpower submission to the National Grid Yard provisions can be categorised into the following four issues which I address in turn:

1. Restructuring of the National Grid Yard provisions
2. NZECP34:2001
3. Setback from National Grid support structures
4. Access

8.9. I largely accept the officer recommendations on the above issues subject to the following:

- In lieu of the restructuring of the National Grid Yard provisions, a number of GRUZ and RPROZ provisions be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply; and
- The NZECP 34:2001 clause 2.b.i. within GRUZ-S13 and RPROZ-S15 not be deleted as recommended by the s42A Report, and instead be retained.

8.10. In addressing the above issues, I think it useful to understand the reasoning and nature of the National Grid provisions sought by Transpower.

8.11. By way of background for these concerns, a significant resource management issue in the district and across New Zealand is inappropriate development, land use and

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<sup>6</sup> S79.112

subdivision in close proximity to the National Grid. The evidence of Mr Cartwright outlines how activities can compromise the operation, maintenance, development and upgrade of the National Grid, with the three primary reasons for restricting third party activities being:

1. Electrical risk (health and safety);
2. Annoyance caused by transmission lines and reverse sensitivity; and
3. Restrictions on the ability of Transpower to access, maintain, upgrade and develop the transmission lines, as well as third party development directly effecting and compromising the assets themselves.

8.12. 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 or substations. In addition to directly effecting the National Grid assets, such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing 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.

8.13. The location of buildings and activities, beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to operate, 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.

8.14. 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 activities to avoid reverse sensitivity effects on the National Grid; and
- Manage activities to ensure the operation, maintenance, upgrading and development of the National Grid is not compromised.

8.15. The most effective and efficient way of managing the potential for adverse effects on the National Grid is to adopt a 'corridor' approach. This corridor approach is often referred to in terms of the "National Grid Yard" (which manages land use) and the

“National Grid Subdivision Corridor” (which manages subdivision). The 10-12m ‘National Grid Yard’ setback (measured either side of the centreline) is based on the position of the conductors in normal everyday wind conditions, as well as space to allow the support structures and conductors to be accessed and provide sufficient space for most (but not all) maintenance activities. Within the Central Hawke’s Bay context, existing National Grid assets are 110 kv lines, primarily on single poles, with pi poles and towers used for river crossings. As such the National Grid Yard is measured as:

- The area located within 10 m of either side of the centreline of the line on single poles;
- The area located within 12 m either side of the centreline of the line on pi-poles or towers;
- The area located within 12 m in any direction from the outer visible edge of an electricity transmission pole or tower foundation.

8.16. As outlined in the evidence of Mr Cartwright, Transpower only seeks the minimum plan restrictions necessary to ensure the NPSET is given effect to. The corridor approach allows for different sized setbacks to be adopted depending on the asset type that is, poles or towers and different levels of voltage. Importantly, the National Grid Yard and National Grid Subdivision Corridor provide a consistent approach to managing the potential for adverse effects on the National Grid.

8.17. From a planning perspective, in order to manage subdivision and other land uses that have the potential to compromise the operation, maintenance, upgrading and development of the National Grid, Transpower supports the provision of a corridor management approach that revolves around a National Grid Yard and National Grid Subdivision Corridor. This yard and corridor are spatially defined (as outlined in the evidence of Mr Cartwright) and are supported by a framework of objectives, policies, definitions, and rules and standards relating to land use, subdivision, and earthwork, and has been consistently sought by Transpower across New Zealand. Recent examples where it has been implemented include the Hurunui, Invercargill, South Taranaki, Queenstown Lakes, Hamilton City, Christchurch, and Ōpōtiki district plans, as well as the Auckland Unitary Plan.

8.18. The provisions sought in relation to the National Grid Corridor approach 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. 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 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.

8.19. Conversely, examples of development that should be avoided within the National Grid Yard include sensitive activities, commercial buildings and intensive uses/development, dairy sheds, piggeries, poultry sheds, and commercial greenhouses.

#### **8.20. Issue 1. Restructuring of National Grid Yard provisions**

8.20.1. As outlined in paragraph 8.4, Transpower sought the relocation of the National Grid Yard provisions into the Network Utility Chapter. Related to the relocation, Transpower sought the National Grid Yard provisions be restructured so that instead of having all the National Grid Yard provisions being addressed in a standard (RPROZ-S15 and GRUZ-S13), they are provided in a specific rule. The reasoning for this sought approach was to reduce duplication and provide an easily identifiable one point of reference for plan users.

8.20.2. I have carefully considered the s42A response on this point and the implications for the interpretation and application of the National Grid Yard provisions. While the National Grid rule structure is not the standard approach sought by Transpower and adopted in other district plans, I acknowledge the structure of the Central Hawke's Bay District Plan and the reliance on the use of standards. I also acknowledge the limited number of National Grid assets within the district, and that they are entirely located in the rural zones. As such, in reality the application of the rules will be limited

and I do not anticipate any substantial change in land use over the life of the district plan.

- 8.20.3. However, I do note the National Grid standard is not applied to some activities<sup>7</sup>, or where it is, a discretionary activity is applied where the standard is not complied with<sup>8</sup>. I do not support this approach as I have concerns some activities (such as an industrial activity, camping ground or relocated building depot) would be able to be developed with no specific consideration of the National Grid given there is no rule trigger for such consideration. This approach does demonstrate my concerns with the application of a standard to a rule as opposed to a specific National Grid rule.
- 8.20.4. As outlined above in paragraphs 8.11 to 8.19, there are some activities acceptable in the National Grid Yard but others that should be avoided. Activities such as camping grounds and building depots are ones that should be avoided on the basis they introduce a health and safety risk and may impose restrictions on the ability of Transpower to access, maintain and upgrade its assets. A resource consent process enables such effects to be appropriately assessed and managed. Given the national significance of the National Grid and strong policy directive within the NPET, is it appropriate a robust and comprehensive rule framework is in place to manage the risk.
- 8.20.5. In terms of activity status, the s42A report recommended rule RPROZ-RXX Artificial Crop Protection Structures, requires compliance with the National Grid standard S15 but has a default discretionary activity status. For the reasons outlined above and issues outlined in the evidence of Mr Cartwright relating to the effects of activities in the National Grid, I consider a non-complying activity appropriate. I also note that exemptions (for certain activities) are provided within the National Grid Standard in that they can go between 8 m and 12 m from a support structure. A non-complying activity status reflects the strong policy directive within the proposed district plan (Policy NU-P5 “To protect network utilities from the adverse effects...”, and

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<sup>7</sup> RPROZ-RXX Rural Industries; RPROZ-R13 Relocated Buildings; RPROZ-R17 Relocatable Building Depots RPROZ-R18 Any other activity; RPROZ-R19 Industrial Activities; GRUZ-R13 Relocated Buildings; GRUZ-RXX Rural Industries; GRUZ-RXX Commercial boarding and/or breeding of cats, dogs, and other domestic pets, GRUZ-R16 Camping grounds; GRUZ-R17 Relocatable Building Depots GRUZ -R18 Any other activity; GRUZ - R19 Industrial Activities;

<sup>8</sup> RPROZ-RXX Artificial Crop Protection Structures, GRUZ-RXX Artificial Crop Protection Structures,

Policy 10 of the NPSET: *“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.”*

For the above reasons I recommend the following rules be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply:

RPROZ-RXX Rural Industries  
RPROZ-R13 Relocated Buildings  
RPROZ-R17 Relocatable Building Depots  
RPROZ-R18 Any other activity  
RPROZ-R19 Industrial Activities  
GRUZ-R13 Relocated Buildings  
GRUZ-RXX Rural Industries  
GRUZ-RXX Commercial boarding and/or breeding of cats, dogs, and other domestic pets,  
GRUZ-R16 Camping grounds  
GRUZ-R17 Relocatable Building Depots  
GRUZ-R18 Any other activity  
GRUZ -R19 Industrial Activities  
RPROZ-RXX Artificial Crop Protection Structures  
GRUZ-RXX Artificial Crop Protection Structures

8.20.6. Based on the above, subject to inclusion of the National Grid standard and default non-complying activity status across additional activity rules (as outlined above), and subject to other amendments as outlined in the points below, I accept the officer’s recommendation to retain the structure of the provisions as notified.

**8.21. Issue 2: NZECP 34:2001**

8.21.1. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is a code administered by MBIE. It applies to all electricity lines and is not confined to the high voltage transmission lines that form the National Grid. There are two issues raised by submitters and in the s42A

report in relation to the New Zealand Electrical Code of Practice for Electrical Safe Distances (“**NZEC 34:2001**”).

- 8.21.2. The first issue relates to the submissions by Federated Farmers that opposes any regulations that exceed NZEC 34:2001 (specifically sections 2.3 and 2.4). The second issue is how NZEC 34:2001 is regulated in the plan and the default activity status.
- 8.21.3. The evidence of Mr Campbell and Mr Cartwright provide an outline of NZEC 34:2001 and why it is not adequate as the sole ‘standard’ when applied to the National Grid. In summary, while it may adequately provide for the minimum safe electrical distances for smaller buildings and structures and some activities around transmission lines, it does not prevent under build and does not ensure the operation, maintenance, upgrade and development of the National Grid is not compromised. As highlighted earlier in my evidence, the NPSET sets a very clear policy directive that the operation, maintenance, upgrade and development of the National Grid is not compromised.
- 8.21.4. In response to the concerns raised by Federated Farmers that the district plan provisions must not exceed the code safety distances, based on the evidence of Mr Campbell and Mr Cartwright I do not support any changes to the National Grid provisions in the plan in response to the submitter. Based on the evidence, sole reliance on NZEC 34:2001 is insufficient to give effect to the strong policy directive in the NPSET.
- 8.21.5. The second issue in relation to NZEC 34:2001 is the s42A report recommendation to remove compliance with NZEC 34:2001 as a condition from the National Grid GRUZ-S13 and RPROZ-S15 standards, and instead rely on the specific Electricity Safety Distances standard RPROZ-S8 and GRUZ-S7. Non-compliance with the standards requires consent as a discretionary activity. While I accept the reasoning of the s42A Report<sup>9</sup> that as it is already addressed under another standard, there is no need to repeat it with the National Grid specific Standards GRUZ-S13 and RPROZ-S15 standards, that rationale fails to acknowledge the differing activity status that is afforded where activities may compromise the National Grid. Given the

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<sup>9</sup> s42A Report Volume 4, paragraph 2.3.15



national significance of the National Grid and risks to both individuals and the grid itself where compliance with NZECP 34:2001 is not achieved, and in order to give effect to the NPSET, I seek the NZECP 34:2001 clause be retained within GRUZ-S13 and RPROZ-S15. This would mean a non-complying activity status is afforded when compliance is not achieved.

For the above reasons, I seek the NZECP 34:2001 clause not be deleted as recommended by the s42A Report and instead be retained within GRUZ-S13 and RPROZ-S15 as follows:

*GRUZ-S13 / RPROZ-R15 Setback from National Grid Yard*

*..... b. all buildings or structures permitted by a. must comply with the following conditions:*

*i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.*

*ii. not permanently physically impede existing vehicular access to a National Grid support structure.*

## **8.22. Issue 3: Setback from National Grid support structures**

8.22.1. The National Grid Yard standards GRUZ-S13 and RPROZ-S15 stipulate setbacks from National Grid support structures. The reasons for the setbacks are provided in the evidence of Mr Carthwright and can be summarised as ensuring access is maintained, the support structures are not themselves compromised, and that health and safety issues (such as step touch hazards do not result). In its submission Transpower sought<sup>10</sup> deletion of the reference to 8 m for poles to reflect the setback standards within the definition of National Grid Yard. In response to the concerns raised by Horticulture New Zealand in its further submission, it is noted that clause c. of the standard does allow artificial crop protection structure or crop support structures to be located within 8 m and 12 m of a pole support structure and any associated stay wire where it meets the required of

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<sup>10</sup> *Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a ~~tower, or 8m from a pole, forming part of a~~ National Grid support structure, except where the building or structure is:*

NZEC 34:2001, is less than 2.5m in height, is removable or temporary to allow a clear 12m working space, and ensures access to the pole is maintained; or where written approval is provided by Transpower.

8.22.2. In response to the concerns raised by Federated Farmers that by deleting the 8 m setback from poles, the 12 m setback *'far exceeds the engineering safety distances of NZEC34'*<sup>11</sup> I refer to the paragraph above and evidence of Mr Cartwright as to the role of NZEC 34:2001 and that while NZEC34:2001 may adequately provide for the minimum safe electrical distances for smaller buildings and structures and some activities around transmission lines, it does not prevent underbuild and does not ensure the operation, maintenance, upgrade and development of the National Grid is not compromised. On this basis, I consider the provisions are provided in the s42A report appropriate.

8.22.3. I support the officer recommendation<sup>12</sup> to accept the relief sought by Transpower and amend the standard, as well as the additional reference to crop support structures as required by Horticulture NZ.

8.22.4. For completeness, I note I also support the officer recommendation to remove the setback standard in relation to the Waipawa substation on Onga Onga Road (on the basis that given the rural location (and Rural Production zoning) of the substation which requires a 12ha minimum lot area and that there are no existing sensitive activities in proximity, the setback is not considered efficient or effective).

#### **8.23. Issue 4: Access**

8.23.1. As with setbacks discussed above, the National Grid Yard standards GRUZ-S13 and RPROZ-S15 stipulate access requirements to National Grid support structures<sup>13</sup>. The s42A Report recommends<sup>14</sup> the access standards be retained given they relate to existing vehicular access. I support the recommendation.

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<sup>11</sup> Further Submission by Federated Farmers to Transpower submission point S79.095. Page 14 of the further submission

<sup>12</sup> s42A Report, Volume 4, paragraph 2.3.17

<sup>13</sup> GRUZ-S13 / RPROZ-R15 Setback from National Grid Yard

..... b. all buildings or structures permitted by a. must comply with the following conditions:

... ii. not permanently physically impede existing vehicular access to a National Grid support structure.

<sup>14</sup> S42A Report Volume 4, paragraph 2.3.16

- 8.23.2. In response to the submission by Federated Farmers that alternate access can be provided and that access routes are a property and easement issue, the clear benefit of the access standard clause is to provide certainty that Transpower can access its structures for maintenance and repair. There is a risk that an alternative access may not be useable by Transpower due to gradient, width, surface, topography. The costs are significant to the district and nationally if Transpower cannot access its assets to repair faults or maintain assets and will result in loss of electricity.
- 8.23.3. As outlined in the evidence of Mr Cartwright, physical access to transmission lines is required for all maintenance and project work, and when a system fault occurs, the Grid would need to be restored quickly to reduce impacts on businesses and communities throughout the district, and beyond. Restoring supply becomes challenging if transmission lines are difficult to access due to intensive developments that may be constructed under and around them.
- 8.23.4. Regarding property rights and easement agreements, these mechanisms sit outside the RMA framework. Transpower has the legal right under the Electricity Act 1992 to access the lines but the physical ability to access the lines also needs to be protected;
- 8.23.5. In my opinion, access is an important component of the network and the associated planning framework. The NPSET provides clear a policy directive that decision makers must “*recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network*” (Policy 2) and ensure that “*operation, maintenance, upgrading, and development of the electricity transmission network is not compromised*” (Policy 10).
- 8.23.6. Based on the above I support the officer recommendation to retain the access standards within GRUZ-S13 and RPROZ-S15.

## 9. Part 2 of the RMA

- 9.1. The purpose of the RMA is to achieve the sustainable management of natural and physical resources, with corresponding obligations relating to the use, development and protection of resources while providing for the wellbeing and health and safety of people and communities.

9.2. In the context of the National Grid, I support or accept the s42A Report recommendations on the basis they appropriately reflect the purpose of the RMA in relation to sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations, having particular regard to:

- a. The role of, and reliance on, electricity within our society and the increasing demand for it; and
- b. The need to operate, maintain, upgrade and develop the National Grid.

## **10. Conclusion**

10.1. 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.

10.2. The matters of relevance to Transpower within Hearing Stream 3 are limited in nature and I largely accept the officer recommendations on the above, subject to the following:

- In lieu of the restructuring of the National Grid Yard provisions, a number of GRUZ and RPROZ be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply; and
- The NZECP 34:2001 clause 2.b.i. within GRUZ-S13 and RPROZ-S15 not be deleted as recommended by the s42A Report, and instead be retained.

10.3. In my opinion the above outstanding matters can be readily addressed.

**Pauline Mary Whitney**

31 May 2022

## 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*

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## 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

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

Appendix B Response to s42A Report Officer Recommendation's

Plan Provision	Sub Point	Summary of Decision Requested	S42A response	Transpower's response to S42A recommendation
Sensitive Activity (Definition)	S79.013	<p>Amend the definition of 'Sensitive Activity' as follows:  <del>'activities which are sensitive to noise, dust, the use and storage of hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential activities, marae, urupā, visitor accommodation, rest homes, retirement villages, day care facilities, educational facilities and hospitals.'</del>                      Alternatively, Transpower would support a definition that is specific to the National Grid.</p>	Accept in part Refer s42A Report Vol 3: para 4.3.17	<b>Accept</b> the recommendation to provide a separate definition for sensitive activities (National Grid) to reflect that NPSET definition.
RLR-P4	S79.016	<p>Amend RLR-P4 as follows:                      'To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not <b>unduly</b> compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone, <b>recognising that some non-primary production activities are more appropriately located within a rural location.'</b></p>	Accept in part Refer s42A Report Vol 1: para 5.2.26 and 5.3.22	<b>Support</b> the recommendation to amend policy RLR-P4. The reference to operational or functional need is supported.
GRUZ – General Rural Zone	S79.095	<p>Merge, relocate and renumber the relevant National Grid rules contained in the 'GRUZ - General Rural Zone' chapter to the 'NU - Network Utilities' chapter, as follows:  <b>'NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</b>  <b>1. Activity Status: PER</b>  <b>Where the following conditions are met:</b>  <b>a. Compliance with RPROZ-S13 (setbacks from National Grid).</b>  <b>2. Activity status where compliance with RPROZ-S15 (setbacks from National Grid) is not achieved: NC</b></p> <p><b>NU-xy National Grid Yard Buildings, structures, and activities within the National Grid Yard - NC1. Activity Status: NC</b>  <b>Where:</b>  <b>a. Compliance is not achieved with RPROZ-S15 (setbacks from National Grid); or</b>  <b>b. The building or structure is not provided for within NU-xx.</b>  <b>c. Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</b>  <b>d. Any change of use of an existing building to a sensitive land use within the National Grid Yard</b>  <b>e. The establishment of any new sensitive land use within the National Grid Yard</b></p>	Accept in part Refer s42A Report Vol 4: Section 2	<p>Transpower is not pursuing in evidence the sought relocation of the National Grid rules into the Network Utilities Chapter.</p> <p>With respect to other amendments, <b>accept</b> the officer recommendations relating to the National Grid Yard provisions subject to the following:</p> <ul style="list-style-type: none"> <li>- In lieu of the restructuring of the National Grid yard provisions, a number of GRUZ and RPROZ be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply; and</li> <li>- The NZECP clause 2.b.i. within GRUZ-S13 and RPROZ-S15 not be deleted as recommended by the s42A</li> </ul>

Appendix B Response to s42A Report Officer Recommendation's

	<p><b>f. Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line. Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard.'</b></p> <p><del>'GRUZ-S13 Setback from National Grid Yard and National Grid Substation Sensitive Activities1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del></p> <p>All Buildings and Structures</p> <p>2. Under the National Grid conductors (wires):</p> <p>a. on all sites within any part of the National Grid Yard, all buildings and structures must:</p> <ul style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ul> <p>b. all buildings or structures permitted by a. must comply with the following conditions:</p> <ul style="list-style-type: none"> <li>i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</li> <li>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</li> </ul> <p>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:</p> <ul style="list-style-type: none"> <li>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>b. an artificial crop protection structure or crop support structure between 8m and 12m from a pole support structure and any associated stay wire, that:</li> </ul>		<p>Report, and instead be retained.</p>
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		<p>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</p> <p>ii. is no more than 2.5m high;</p> <p>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</p> <p>iv. allows all -weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.'</p>		
GRUZ-P2	S79.096	<p>Amend GRUZ-P2 as follows:  '<del>To allow activities of a limited scale (such as Network Utilities) which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.'</del></p>	<p>Reject  Refer s42A  Report Vol 4:  Section 2</p>	<p><b>Accept</b> the recommendation on the basis the policy is amended to refer to 'operational or functional need'.</p>
GRUZ - Rules	S79.097	<p>Add to following to the 'GRUZ - Rules' introductory statement:  '<b>... Rules for activities within the National Grid Yard within the General Rural Zone are contained in the Network Utilities (NU) Chapter.'</b></p>	<p>Reject  Refer s42A  Report Vol 4:  Section 2</p>	<p>Transpower is not pursuing in evidence the sought relocation of the National Grid rules into the Network Utilities Chapter.</p>
GRUZ-R1	S79.098	<p>Transpower seeks a new rule framework that reflects that proposed in the Proposed Plan with the primary sought differences being:</p> <ul style="list-style-type: none"> <li>- Provision of one permitted and one non-complying rule within the Network Utilities chapters as opposed to the National Grid being referenced across multiple rules. This reduces duplication and provides an easy point of reference for plan users.</li> <li>- Insertion of new non-complying clauses to provide clarity that the activities listed are non-complying.</li> </ul> <p>Amend GRUZ-R1 as follows (as part of relocating as a new merged rule in the 'NU - Network Utilities' chapter):  '1. Activity Status: PER  Where the following conditions are met:</p> <ul style="list-style-type: none"> <li>a. ...</li> <li><del>d. Compliance with GRUZ S13 (setbacks from National Grid).</del></li> <li>...'</li> </ul>	<p>Reject  Refer s42A  Report Vol 4:  Section 2</p>	<p><b>Accept</b> subject two amendments as detailed in submission point S79.095.</p>
GRUZ-R2	S79.099	Amend GRUZ-R2 as above	Reject	<b>As above</b>
GRUZ-R3	S79.100	Amend GRUZ-R3 as above	Reject	<b>As above</b>

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GRUZ-R5	S79.101	Amend GRUZ-R5 as above	Reject	As above
GRUZ-R6	S79.102	Amend GRUZ-R6 as above	Reject	As above
GRUZ-R7	S79.103	Amend GRUZ-R7 as above	Reject	As above
GRUZ-R8	S79.104	Amend GRUZ-R8 as above	Reject	As above
GRUZ-R9	S79.105	Amend GRUZ-R9 as above	Reject	As above
GRUZ-R10	S79.106	Amend GRUZ-R10 as above	Reject	As above
GRUZ-R11	S79.107	Amend GRUZ-R11 as above	Reject	As above
GRUZ-R12	S79.108	Amend GRUZ-R12 as above	Reject	As above
GRUZ-R14	S79.109	Amend GRUZ-R14 as above	Reject	As above
GRUZ-R13	S79.110	Delete GRUZ-S13 (as part of relocating as a new amended standard in the 'NU - Network Utilities' chapter)	Reject	As above
GRUZ-S13	S121.200 Federated Farmers	Delete GRUZ-S13(2)(b)	Accept in part Refer s42A Report Vol 4: Section 2	<b>Oppose</b> deletion of GRUZ-S13(2)(b)(i) but <b>support</b> retention of clause (ii)
FS18.34	Transpower	Disallow	Reject	As above
GRUZ-S13	S81.129 Horticulture NZ	Amend GRUZ-S13(3)(b)	Accept Refer s42A Report Vol 4: Section 2	<b>Support</b> the recommendation to amend the rule.
FS18.29	Transpower	Allow	Accept	Support
GRUZ-S13	S121.199 Federated Farmers	Delete GRUZ-S13(1).	Accept Refer s42A Report Vol 4: Section 2	<b>Support</b> the recommendation to amend the rule.
FS18.30	Transpower	Allow	Accept	<b>Support</b>
<b>RPROZ – Rural Production Zone</b>				
RPROZ – Rural Production Zone	S79.111	Merge, relocate and renumber the relevant National Grid rules contained in the 'RPROZ - Rural Production Zone' chapter to the 'NU - Network Utilities' chapter, as follows: <b>'NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</b> <b>1. Activity Status: PER</b> <b>Where the following conditions are met:</b> <b>a. Compliance with RPROZ-S13 (setbacks from National Grid).</b>	Accept in part Refer s42A Report Vol 4: Section 2	Transpower is not pursuing in evidence the sought relocation of the National Grid rules into the Network Utilities Chapter.  With respect to other amendments, <b>accept</b> the officer recommendations

	<p><b>2. Activity status where compliance with RPROZ-S15 (setbacks from National Grid) is not achieved: NC</b></p> <p><b>NU-xy National Grid Yard Buildings, structures, and activities within the National Grid Yard - NC1. Activity Status: NC</b></p> <p><b>Where:</b></p> <p><b>a. Compliance is not achieved with RPROZ-S15 (setbacks from National Grid); or</b></p> <p><b>b. The building or structure is not provided for within NU-xx.</b></p> <p><b>c. Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</b></p> <p><b>d. Any change of use of an existing building to a sensitive land use within the National Grid Yard</b></p> <p><b>e. The establishment of any new sensitive land use within the National Grid Yard</b></p> <p><b>f. Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line. Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard.'</b>And 'RROZ-S15 Setback from National Grid Yard and National Grid Substation Sensitive Activities1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</p> <p>All Buildings and Structures</p> <p>2. Under the National Grid conductors (wires):</p> <p>a. on all sites within any part of the National Grid Yard, all buildings and structures must:</p> <p>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</p> <p>ii. be a fence less than 2.5m high; or</p> <p>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</p> <p>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</p> <p>b. all buildings or structures permitted by a. must comply with the following conditions:</p>		<p>relating to the National Grid Yard provisions subject to the following::</p> <ul style="list-style-type: none"> <li>- In lieu of the restructuring of the National Grid yard provisions, a number of GRUZ and RPROZ be amended to reference the applicable National Grid Standard, and a default non-complying activity status apply; and</li> <li>- The NZECP clause 2.b.i. within GRUZ-S13 and RPROZ-S15 not be deleted as recommended by the s42A Report, and instead be retained.</li> </ul>
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		<p>i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</p> <p>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</p> <p>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from <del>atower, or 8m from a pole, forming part of a</del> National Grid support structure, except where the building or structure is:</p> <p>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</p> <p>b. an artificial crop protection structure or crop support structure between 8m and 12m from a pole support structure and any associated stay wire, that:</p> <p>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</p> <p>ii. is no more than 2.5m high;</p> <p>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</p> <p>iv. allows all -weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.'</p>		
RPROZ-P2	S79.112	<p>Amend RPROZ-P2 as follows:  '<del>To allow activities of a limited scale (such as Network Utilities) which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.'</del></p>	<p>Reject  Refer s42A Report Vol 2: para 2.2.24 and 2.3.17</p>	<p><b>Accept</b> the recommendation on the basis the policy is amended to refer to 'operational or functional need'.</p>
RPROZ - Rules	S79.113	<p>Add to following to the 'RPROZ - Rules' introductory statement:  '<b>... Rules for activities within the National Grid Yard within the Rural Production Zone are contained in the Network Utilities (NU) Chapter.'</b></p>	<p>Reject  Refer s42A Report Vol 2: para 3.2.19 and 3.3.15</p>	<p>Transpower is not pursuing in evidence the sought relocation of the National Grid rules into the Network Utilities Chapter.</p>
RPROZ-R1	S79.114	<p>Amend RPROZ-R1 as follows (as part of relocating as a new merged rule in the 'NU - Network Utilities' chapter):  '1. Activity Status: PER</p>	<p>Reject</p>	<p><b>Accept</b> subject two amendments as detailed in submission point S79.111.</p>



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		Where the following conditions are met: a. ... d. Compliance with RPROZ-S15 (setbacks from National Grid). ...!	Refer s42A Report Vol 4: Section 2	
RPROZ-R2	S79.115	Amend RPROZ-R2 as above	Reject	As above
RPROZ-R3	S79.116	Amend RPROZ-R3 as above	Reject	As above
RPROZ-R5	S79.117	Amend RPROZ-R5 as above	Reject	As above
RPROZ-R6	S79.118	Amend RPROZ-R6 as above	Reject	As above
RPROZ-R7	S79.119	Amend RPROZ-R7 as above	Reject	As above
RPROZ-R8	S79.120	Amend RPROZ-R8 as above	Reject	As above
RPROZ-R9	S79.121	Amend RPROZ-R9 as above	Reject	As above
RPROZ-R10	S79.122	Amend RPROZ-R10 as above	Reject	As above
RPROZ-R11	S79.123	Amend RPROZ-R11 as above	Reject	As above
RPROZ-R12	S79.124	Amend RPROZ-R12 as above	Reject	As above
(General)	S79.125	Amend RPROZ-R14 as above	Reject	As above
RPROZ-S15	S79.126	Delete RPROZ-S15 (as part of relocating as a new amended standard in the 'NU - Network Utilities' chapter).	Reject	As above
RPROZ-15	S121.230 Federated Farmers	Delete RPROZ-S15(2)(b).	Accept in part Refer s42A Report Vol 4: Section 2	<b>Oppose</b> deletion of RPROZ-S15(2)(b)(i) but <b>support</b> retention of clause (ii)
FS18.31	Transpower	Disallow	Reject	As above
RPROZ-S15	S81.174 Horticulture NZ	Amend RPROZ-S15(3)(b)	Accept Refer s42A Report Vol 4: Section 2	<b>Support</b> the recommendation to amend the rule.
FS18.32	Transpower	Allow	Accept	Support
RPROZ-S15	S121.229 Federated Farmers	Delete RPROZ-S15(1).	Accept Refer s42A Report Vol 4: Section 2	<b>Support</b> the recommendation to amend the rule.
FS18.29	Transpower	Allow	Accept	Support