

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

Under the Resource Management Act 1991 (the Act)

In the matter of the Proposed Central Hawke's Bay District Plan –
Hearing Stream 5:

Hazards & Risks, and Subdivision:

**Contaminated Land, Hazardous Substances,
Natural Hazards, Earthworks, Mining & Quarrying,
and General Subdivision**

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

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

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

Dated 24 August 2022

1 Executive Summary

- 1.1. As outlined in my Hearing Stream 3 Evidence, Transpower owns and operates the National Grid, which transmits electricity throughout New Zealand from energy generation sources to distribution networks and direct-connect customers. The need to operate, maintain, develop and upgrade the electricity transmission network is recognised as a matter of national significance through the National Policy Statement on Electricity Transmission 2008 ('NPSET').
- 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. Specific to Hearing Stream 5, Transpower lodged 33 submission points (24 original and 9 further points), relating to the Natural Hazards, Subdivision and Earthworks provisions.
- 1.3. Specific to **Natural Hazards**, in its submission Transpower supported the policy recognition for network utilities within policy NH-P11, but queried whether the Network Utility chapter activity status provisions apply to the National Grid, and if so, that a discretionary activity status be applied given the locational constraints of the National Grid.
- 1.4. Specific to **subdivision**, in its submission Transpower sought the relocation of the National Grid subdivision provisions to the Network Utilities chapter, and the provision of a specific National Grid specific rule. A change in activity status from controlled to restricted discretionary was also sought. The policies were supported subject to the amendment of the National Grid specific policy NU-P5 (within the Network Utilities chapter).
- 1.5. Specific to **earthworks**, Transpower supported the definition of earthworks, policies EW-P1 and P7, and the National Grid specific earthworks rule EW-R5. The relocation of the earthworks rule was also sought.
- 1.6. I have reviewed the s42A Report recommendations and largely support or accept all the officer recommendations. However I recommend a minor amendment to the subdivision assessment matters within SUB-AM17, and in response to submissions, I recommend amendment to the earthworks rule EW-R5 and standard EW-S6. Attached as Appendix B to my evidence is a table outlining all the submission points relevant to Hearing Stream 5.

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2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. For my qualifications and experience and other introductory comments, please refer to paragraphs 2.1 – 2.8 of my statement of evidence for Hearing Stream 3 (“Hearing 3 Evidence”), dated 31 May 2022. 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.

3. Scope of Evidence

- 3.1. My evidence will address the following:
 - 3.1.1. A brief outline of the National Grid Framework and Transpower’s interests in Hearing Stream 5; and
 - 3.1.2. Responses to the officer recommendations, focusing on those amendments sought in this evidence.

4. The National Grid Policy Framework

- 4.1. As outlined in my Hearing 3 Evidence, Transpower owns and operates the National Grid, which transmits electricity throughout New Zealand from energy generation sources to distribution networks and direct-connect customers. The need to operate, maintain, develop and upgrade the electricity transmission network is recognised as a matter of national significance through the National Policy Statement on Electricity Transmission 2008 (‘NPSET’). This significance applies universally across the country regardless of the nature of the specific National Grid asset.
- 4.2. In my Hearing 3 evidence I outlined the three broad aspects to the NPSET which must be given effect to in local authority policies and plans, being:
 - Enabling the National Grid,
 - Managing the effects of the National Grid; and
 - Managing the effects on the National Grid.

- 4.3. Of specific relevance to this hearing are effects on the National Grid with details provided within my Hearing 3 evidence as to the basis and reasoning for National Grid corridor provisions. My earlier evidence stands and is applicable to this hearing.
- 4.4. The national significance of the National Grid is further recognised in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”) in that it acknowledges the importance of investment in the maintenance and upgrade of the existing transmission infrastructure. Under NESETA, “existing transmission lines” include a transmission line (which includes associated support structures and devices) that was operational when the NESETA came into effect (14 January 2010).

5. Summary of Hearing Stream 5 Submission Points

- 5.1. Transpower lodged 33 submission points (24 original and 9 further points) allocated to Hearing Stream 5, relating to Natural Hazards, Subdivision and Earthworks. The submission points to Hearing Stream 5 are summarised as follows:

Natural Hazards

- 5.2. Transpower supported the policy recognition for network utilities within policy NH-P11, but queried whether the Network Utility chapter activity status provisions apply to the National Grid, and if so, that a discretionary activity status (as opposed to the notified non-complying) be applied given the locational constraints of the National Grid.

Subdivision

- 5.3. Transpower lodged a number of original and further submission points seeking the relocation of the National Grid subdivision provisions to the Network Utilities chapter, and the provision of a specific National Grid specific rule. A change in activity status from controlled to restricted discretionary was also sought. The content of the National Grid specific standard SUB-S4 and easement matters SUB-AM17 were supported. Objective SUB-O4 and policies SUB-P17 and P18 were supported subject to the amendment of NU-P5 ¹(within the Network Utilities chapter). Should NU-P5 not be

¹ Sought amendment to NU-P5 *NU-P5 Policy*

To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:

.....

1. *managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;*

amended, Transpower sought amendment to the objective and policies to give effect to the NPSET.

- 5.4. Transpower lodged a further submission² opposing the relief sought by other submitters to delete the default non-complying activity status, standards and assessment matters.

Earthworks

- 5.5. Specific to **earthworks**, Transpower supported the definition of earthworks, policies EW-P1 and P7, and the National Grid specific earthworks rule EW-R5. The relocation of the earthworks rule was also sought. The further submission points related to specific standard amendments and giving effect to the NES plantation forestry.

6. Response to the Section 42A Report Recommendations

- 6.1. The following section responds to the Hearing Stream 5 s42A Report recommendations on Transpower's submission points.
- 6.2. For clarity, attached as **Appendix B** is a table outlining all the submission points relevant to Hearing Stream 5, and my response. I note Transpower concurs with my reasoning and response as provided in Appendix B.
- 6.3. The Transpower submission points can be broadly categorised under four 'topics':

Plan Structure and Location of provisions

Natural Hazards

Subdivision

Earthworks

- 6.4. These are addressed in turn noting that I either accept or support the officer recommendations on all the points. However, in response to submitters concerns, I recommend amendment to the earthworks rule EW-R5 and standard EW-S6, and for clarity, recommend an amendment to and subdivision assessment matters SUB-AM17.

2. *managing land disturbance, **earthworks and vertical holes**, land use development and buildings to maintain safe electrical clearance distances under electricity distributions lines and support structures; and*

3. *ensuring subdivision of sites containing a network activity retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility*

² Transpower Further Submission points FS18.160, FS18.21, FS18.22

Plan Structure and Location of Provisions

6.5. In its submission Transpower sought the relocation of the National Grid subdivision³ and Earthwork⁴ provisions to the Network Utilities Chapter. As outlined in my Primary Evidence to Hearing 3⁵ I understand the officer reasoning on the plan structure and therefore have not pursued the relocation sought in this evidence.

Natural Hazards

6.6. For completeness, I note I concur with the officer recommendations relating to the Natural Hazards provisions⁶.

Subdivision

6.7. Transpower seeks to manage the electricity transmission network through a National Grid Corridor approach which is comprised of a National Grid Yard and a wider National Grid Subdivision Corridor.

6.8. By way of background, the yard and corridor are spatially defined (as outlined in the primary evidence of Mr Cartwright⁷ to Hearing Stream 3 and Hearing Stream 5⁸), with the width of the National Grid Subdivision Corridor defined in the definition to the PDP.

6.9. I accept the officer recommendation on SUB-O4⁹ on the basis SUB-P17¹⁰ is recommended to be amended by the reporting officer.

6.10. The officer recommended amendments to SUB-P17¹¹ are supported in that the amended policy includes a strong policy directive to give effect to NPSET Policy 10 which requires that councils to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the electricity transmission network and ensure that

³ Transpower Submission points S79.071, S79.078-85

⁴ Transpower Submission points S79.093, S79.094

⁵ Hearing 3: Statement of Evidence of Pauline Whitney for Transpower New Zealand Ltd, 31 May 2022, paragraphs 8.4-8.5

⁶ Transpower Submission Points S79.057 – S79.060

⁷ Statement of evidence of Benjamin Roy Cartwright for Transpower New Zealand Limited, Dated 31 May 2022, Section 12

⁸ Statement of evidence of Benjamin Roy Cartwright for Transpower New Zealand Limited, Dated 24 August 2022, Section 7

⁹ Transpower submission point S79.073

¹⁰ *SUB-P17 To ensure, to the extent practicable reasonably possible, subdivisions are designed to that takes into account the location of avoid reverse sensitivity effects of future land use activities on regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established activities, and ensures that the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities is not compromised that future land use activities will not result in reverse sensitivity effects.*

¹¹ Transpower submission point S79.074

the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

- 6.11. 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 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.
- 6.12. Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).
- 6.13. Policy SUB-P17 is not specific to the National Grid (and it is Transpower's preference for a standalone National Grid specific policy to reflect NPSET Policies 10 and 11, hence the sought amendments to NU-P5). However, I accept the wording in so far as the reference to 'Regionally significant infrastructure' includes the National Grid. Based on the above, the policy directive within amended policy SUB-P17 is supported.
- 6.14. I also accept the amendment to policy Sub-P17 to refer to "the extent reasonably possible" as opposed to "the extent practicable" noting the amended wording reflects that of Policy 10 NPSET. Given the rural location of the existing National Grid assets, it is anticipated it will be reasonably possible for the subdivision to be designed to avoid reverse sensitivity effects.
- 6.15. Related to the recommended amendment to SUB-P17, I accept the recommendation¹² for the deletion of SUB-P18 on the basis the matters are addressed within SUB-P17.

¹² Transpower Submission point S79.075

6.16. The primary issue within the Transpower submission related to the activity status. Rule SUB-R1 of the PDP provides a controlled activity status where compliance is achieved with the National Grid Yard standard SUB-S4. Where compliance with the standard is not achieved, the activity status defaults to non-complying. In its submission¹³ Transpower sought a change in activity status from controlled to restricted discretionary. The default non-complying activity status was also supported by Transpower¹⁴. The s42A report recommended retention of the activity status as notified.

6.17. I have considered the recommendation and activity status and while a departure from the standard National Grid Subdivision Corridor approach, for the following reasons I accept the officer recommendation to retain the controlled activity status (noting the non-complying activity status will apply where the standards are not complied with):

- There are no National Grid assets within or close to urban areas, instead the lines traverse rural areas only. There is little or no underbuild under the existing transmission lines.
- The standards within SUB-S4 requiring that access be maintained and building platforms be available outside the National Grid Yard trigger a non-complying activity status should they not be met.
- The minimum lot size for a rural subdivision is 12ha or of 20ha depending on the rural zoning. The activity status for any subdivision below the minimum lot area defaults to a discretionary, which can be declined. Comprehensive assessment matters are provided within SUB-AM17. While there are no specific notification clauses, Transpower anticipates it would be considered an affected party under the RMA.

6.18. Specific to access, for the reasons set out in my Primary Evidence to Hearing Stream 3¹⁵ I support the retention of the access standard within SUB-S4(3). In summary, 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

¹³ Transpower Submission point S79.077

¹⁴ Transpower Submission point S79.077

¹⁵ Hearing 3: Statement of Evidence of Pauline Whitney for Transpower New Zealand Ltd, 31 May 2022, paragraphs 8.23.1 – 8.23.6

to intensive developments that may be constructed under and around them. Subdivision is an appropriate time at which to ensure access is maintained. Should the access standard not be retained, the controlled activity status for subdivision within the National Grid Subdivision Corridor will need to be re-addressed and Transpower would seek the activity status as sought in its submission (being restricted discretionary, defaulting to non-complying where the standards cannot be complied with).

- 6.19. As a minor amendment, I would support amendment to clause 2 of SUB-AM17 to make it clear access is also required to support structures. Transpower submitted¹⁶ in support of the assessment matters. The reasoning for the amendment is that while National Grid Transmission lines are defined in the NESETA¹⁷ as including support structures, the PDP does not contain such a definition. For the avoidance of doubt, a reference within SUB-AM17(2) is supported as follows:

SUB-AM17 Subdivisions with building platforms and/or vehicle access within the National Grid Subdivision Corridor

.....

2. The ability for continued access to existing National Grid transmission lines and support structures for maintenance, inspections and upgrading.

.....

Earthworks

- 6.20. Specific to earthworks, in its submission Transpower supported the definition of earthworks¹⁸, policies EW-P1¹⁹ and EW-P7²⁰, and the National Grid specific earthworks rule EW-R5²¹ and associated standards EW-S6²². The officer has recommended retention of these provisions as notified. Notwithstanding the recommendation to retain the provisions as notified, in response to submission points²³

¹⁶ Transpower Submission point S79.085

¹⁷ NESETA , Section 3 Interpretation - *transmission line*—

(a) means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and

(b) includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but

(c) does not include an electricity substation

¹⁸ Transpower Submission point S79.003

¹⁹ Transpower Submission point S79.091

²⁰ Transpower Submission point S79.092

²¹ Transpower Submission point S79.093

²² Transpower Submission point S79.094

²³ Federated Farmers Submission Points S121.087 and S121.097, Transpower FS18.23 and FS18.27

I recommend minor amendment to the rule EW-R5 and standard EW-S6 as outlined below.

- 6.21. By way of background and the relevance and importance of National Grid specific provisions, I refer the Panel to the Hearing 3 primary evidence of myself, Mr Cartwright and Mr Campbell as to the reasons Transpower seeks provisions within district plans and the issues associated with land use and development (including earthworks) within the National Grid Yard.
- 6.22. 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, uncontrolled earthworks can affect access, undermine the support structures or generate dust. The latter can result in the build-up of material on the National Grid lines and increase the wear on the equipment reducing its useable lifespan. As outlined in the evidence of Mr Cartwright excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures and conductors around the lines, and may lead to potential support structure failure and significant constraints on the operation of the lines, such as power outages. For these reasons, Transpower seeks control on earthworks near the National Grid. The provision of a rule framework achieves Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to operate it.
- 6.23. As outlined in the evidence of Mr Cartwright, with respect to the NZECP34, it applies to all electricity lines and is not specific to the National Grid. As such it does not recognise the significance of the National Grid. Furthermore, the scope and purpose of NZECP34 is confined to safety. It is the Code of Practice that sets minimum safe distances to primarily protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards and is focused only on minimum safety standards. It is Transpower's position that the minimum safety requirements in the Code alone do not protect the integrity of the National Grid from the effects of earthworks.
- 6.24. I think it important to note that there is no requirement or stipulation that the district plan cannot be more stringent or exceed the requirement provided in NZECP34. The NPEST sets a very clear and strong directive that district plans include provisions to ensure the "operation, maintenance, upgrading and development of the electricity

transmission network is not compromised²⁴. The code within NZECP is not sufficient to achieve this and therefore cannot be solely relied on.

- 6.25. **Specific to Rule EW-R5**, in addition to Transpower, two original submitters²⁵ lodged submission points on the National Grid specific earthworks rule EW-R5, and one submitter lodged an original submission point²⁶ on the standard EW-S6. I support the officer recommendation on the submission point S129.126 (Kainga Ora) on the basis there is no justification, evidence or basis for the relief sought by the submitter. In response to the submission point S121.87 by Federated Famers on EW-S5²⁷, the submitter seeks amendment to rule EW-R5 to reflect Section 2.2.1 of NZECP:34. Based on the evidence of Mr Cartwright, I support the officer recommendation to reject the relief sought in the submission point. However, based on the evidence provided, I do consider there merit in amending clause EW-R5.1.a to reflect section 2.2.3 of NZECP:34. This would make the condition more enabling than that notified in that it allows for earthworks within 6 metres and 12 metres of a support structure go to a depth of 3 metres. While I note standard EW-S6 addresses matters such as access and stability of the support structure, in my opinion the provision of clear and appropriate depth and setback standards within EW-R5 provide certainty and based on the evidence of Mr Cartwright, are appropriate.
- 6.26. The amendments I would support are as follows (noting there appears to be some numbering errors in Appendix A to the Section 42 Report and therefore I adopt the numbering within the PDP):

EW-R5 Rule Earthworks and vertical holes within the National Grid Yard

1. Activity Status: PER

Where the following conditions are met:

a i. The earthworks must be no deeper (measured vertically) than 300mm within ~~126~~m of the outer visible edge of any National Grid support-structure foundation,

²⁴ NPSET Policy 10

²⁵

²⁶ Federated Farmers Submission Point S121.097, Transpower FS18.27, Horticulture NZ FS17.68, Forest and Bird FS9.97

²⁷ Federated Farmers Submission Point S121.087, Transpower FS18.23

ii. The earthworks are no deeper than 3 metres between 6 metres and 12 metres from the outer visible edge of a foundation of a National Grid support-structure foundation,

except under the following circumstances:

i. earthworks that are undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes) as defined by the Resource Management Act 1991, or

ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.

iii. vertical holes not exceeding 500mm in diameter, provided they:

a. are more than 1.5m from the outer edge of the pole support structure or stay wire, or

b. are a post hole for a farm fence or artificial crop protection or crop support structures and are more than 6m from the visible outer edge of a tower support structure foundation.

b. Compliance with:

c. Compliance with EW-S6

d.

6.27. **Specific to Standard EW-S6** and the relief sought by Federated Famers²⁸ on EW-S6²⁹ sought to:

1. Amend the reference to NZEPC34 in relation to conductor clearance distances within clause 2. from a reference to a 6.5m vertical clearance, to clearance as required by Table 4 of NZECP, and

²⁸ Federated Farmers Submission Point S121.097, Transpower FS18.27

²⁹ EW-S6 Earthworks and Vertical Holes within the National Grid Yard All Zones 1. The earthworks must not compromise the stability of a National Grid support structure, and
2. The earthworks must not result in a reduction in ground-to conductor clearance distances of less than: 6.5m (measured vertically) from a 110kV National Grid transmission line, and
3. The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.

2. Remove the access standard within clause 3.;

6.28. I support in part the relief sought by the submitter to amend the reference in clause 2. to refer to table 4 of NZECP. While I agree with the reporting the officer that a metric is more easily understood, I am not opposed to direct reference to Table 4 of NZECP:34. As such, below I have outlined an amendment to EW-S6(2) I would accept should the panel prefer such an approach.

6.29. In response to the submitter request to remove the clause 3. access standard, as outlined in my Primary Evidence to Hearing 3³⁰ I support the retention of the access standard (clause 3.) within EW-S6. Transpower has had instances in the past where access to a support structure is severed and there is no ability as is proposed by the submitter for "*The Network Utility Operator will just have to travel to the structure using a different route*". The evidence of Mr Cartwright outlines instances where Transpowers ability to access support structures has been compromised. In summary, 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. Earthworks can restrict access and therefore the standard is supported.

6.30. Based on the above, I support amendment to the standard EW-S6 as follows:

EW-S6 Standard

Earthworks and Vertical Holes within the National Grid Yard

All Zones

- 1. The earthworks must not compromise the stability of a National Grid support structure, and*
- 2. The earthworks must not result in a reduction in ground-to-conductor clearance distances ~~of less than: 6.5m (measured vertically) from a 110kV National Grid transmission line as required in Table 4 of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).~~ and*

³⁰ Hearing 3: Statement of Evidence of Pauline Whitney for Transpower New Zealand Ltd, 31 May 2022, paragraphs 8.23.1 – 8.23.6

3. *The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.*

6.31. In response to matters raised by other submitters on EW-S6, I concur with the recommendation³¹ on submission point S81.091 by Horticulture NZ to allow 'ancillary rural earthworks', noting that cultivation is excluded from the definition of earthworks, and Rule EW-R5 provides an exclusion from the depth standard for "earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track".

7. Conclusion

7.1. 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.

7.2. Specific to Hearing Stream 5, Transpower lodged 33 submission points (24 original and 9 further points), relating to the Natural Hazards, Subdivision and Earthworks provisions.

7.3. I have reviewed the s42A Report recommendations and largely support or accept all the officer recommendations, noting that in response to submissions, I recommend amendment to the earthworks rule EW-R5 and standard EW-S6, and to provide clarity, an amendment to the subdivision assessment matters SUB-AM17.

Pauline Mary Whitney

24 August 2022

³¹ Refer Paragraph 6.3.17, s42A Report Earthworks, Mining and Quarrying.

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 28th 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

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Plan Provision	Sub Point	Position	Summary of Reasons	Summary of Decision Requested	S42A response	Response to S42A recommendation
Natural Hazards						
NH-P11	S79.057 Transpower	Support	Transpower supports the policy recognition for Network Utilities within natural hazard areas. However, as queried in an earlier submission point, clarity is sought as to the application of the Natural Hazards provisions to network utilities.	Retain NH-P11.	Accept Refer s42A Nat Hazards and climate change para 5.3.1	Support the recommendation to retain the policy.
NH-R1	S79.058 Transpower	Oppose	Depending on the relevance and applicability of the Natural Hazards Chapter to the National Grid, Transpower opposes any non-complying activity status that would apply to the National Grid. The National Grid is a linear network that is constrained in its location. Such constraints should be reflected in a restricted discretionary activity status. The Restricted Discretionary matters would ensure an adequate assessment of the risks and need.	Amend NH-R1 to remove non-complying activity status for the National Grid.	Accept (in so far as there is no NC activity status to remove). Refer s42A Nat Hazards and climate change para 6.3.9 and 6.3.32	Support the recommendation to retain the rule as notified (acknowledging it does not contain a non-complying activity status).
NH-R2	S79.059 Transpower	Oppose	Depending on the relevance and applicability of the Natural Hazards Chapter to the National Grid, Transpower opposes any non-complying activity status that would apply to the National Grid. The National Grid is a linear network that is constrained in its location. Such constraints should be reflected in a restricted discretionary activity status. The Restricted Discretionary matters would ensure an adequate assessment of the risks and need.	Amend NH-R2 to remove non-complying activity status for the National Grid.	Accept in part Refer s42A Nat Hazards and climate change para 6.3.9 and 6.3.22	Support the recommendation to retain the rule as notified, on the basis the National Grid is not considered a BIC 3 or 4 and instead is a BIC 2. The addition of a note within the supporting appendix is supported.
NH-R3	S79.060 Transpower	Oppose	Depending on the relevance and applicability of the Natural Hazards Chapter to the National Grid, Transpower opposes any non-complying	Amend NH-R3 to remove non-complying activity status for the National Grid.	Accept (in so far as there is no NC	Support the recommendation to retain the rule as notified

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			activity status that would apply to the National Grid. The National Grid is a linear network that is constrained in its location. Such constraints should be reflected in a restricted discretionary activity status. The Restricted Discretionary matters would ensure an adequate assessment of the risks and need.		activity status to remove). Refer s42A Nat Hazards and climate change para 6.3.9 and 6.3.32	(acknowledging it does not contain a non-complying activity status).
Subdivision						
SUB – Subdivision Chapter	S79.071	Amend	<p>Transpower's preference is for a standalone set of provisions within the Network Utility chapter, as they consider that it avoids duplication and provides 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.</p> <p>They also consider that a stand-alone set of provisions is consistent with the National Planning Standards, noting Standard 7, District Wide Matters Standard, provides as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'</p>	Relocate the relevant National Grid rules in the 'SUB - Subdivision' chapter (as sought to be amended in subsequent submission points) to the 'NU - Network Utilities' Chapter.	Reject Refer s42A Subdivision para 4.3.12 – 4.3.14	Accept. Transpower is not pursuing in evidence the sought relocation of the National Grid Subdivision rules into the Network Utilities Chapter. The recommended cross reference within SUB-AM17 to the NU Chapter is supported
SUB – Introduction	S79.072 Transpower	Support	Notwithstanding the sought relocation of the subdivision provisions to the Network Utilities chapter, as highlighted in the higher order policy document (specifically the NPSET) a significant resource management issue in the	Retain last two points in paragraph 3 of 'SUB - Introduction'.	Accept Refer s42A subdivision para 7.2.1	Support the recommendation to retain the introductory text as notified.

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			district and across New Zealand is inappropriate development, land use and subdivision in close proximity to the National Grid which can compromise its operation, maintenance, development and upgrade. Recognition of the reverse sensitivity effects of subdivision is supported, as is the increases risk of infrastructure being compromised.			
SUB-O4	S79.073 Transpower	Amend	Transpower supports the provision of an objective specific to reverse sensitivity. However, it is not only reverse sensitivity that can compromise the National Grid. Policy NU-P5 appropriately articulates the issues for the National Grid.	Retain SUB-O4, provided NU-P5 is amended as sought. Should NU-P5 not be amended as sought, Transpower seeks amendment to SUB-O4 to give effect to the NPSET.	Reject Refer s42A paras 8.3.18, 8.3.20 and 8.3.21	Accept the recommendation to not amend SUB-O4 (noting NU-P5 is addressed in Hearing 7) as per relief sought in submission, on the basis the officer recommended amendment to policy SUB-P17 to include reference to ensure that the <i>“operation, maintenance and upgrading of regionally significant infrastructure and other network utilities is not compromised”</i> .
SUB-P17	S79.074 Transpower	Amend	Given the national significance of the National Grid, inappropriate development is a potential issue. In order to manage subdivision that has the potential to compromise the operation, maintenance, upgrading and development of the National Grid, Transpower supports the	Retain SUB-P17, provided NU-P5 is amended as sought. Should NU-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 to give	Accept in part Refer s42A paras 9.3.82, 9.3.83 and 9.3.84	Support the recommendation to amend Policy SUB-P17 as it is consistent with NPSET Policy 10.

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			<p>provision of a corridor management approach which allows for the reasonable use of land inside the transmission line corridor, with several standards and rules imposed to ensure that any subdivision that might compromise the Grid is either avoided or mitigated.</p> <p>Notwithstanding its location, Transpower supports Policy SUB-P17 (noting SUB-P18 addresses the issue of ensuring network utilities are not compromised).</p>	<p>effects to the NPSET (in particular specific reference to the National Grid Subdivision Corridor and removal of reference 'to the extent practicable').</p>		<p>NU-P5 will be addressed in Hearing Stream 7.</p>
SUB-P18	S79.075 Transpower	Amend	<p>Given the national significance of the National Grid, inappropriate development is a potential issue. In order to manage subdivision that has the potential to compromise the operation, maintenance, upgrading and development of the National Grid, Transpower supports the provisions of a corridor management approach which allows for the reasonable use of land inside the transmission line corridor, with several standards and rules imposed to ensure that any subdivision that might compromise the Grid is either avoided or managed.</p> <p>While Transpower supports SUB-P18, it is not explicitly directive to give effect to the NPSET.</p>	<p>Retain SUB-P17[SUB-P18], provided NU-P5 is amended as sought.</p> <p>Should NU-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 [SUB-P18?] to give effect to the NPSET (in particular specific reference to the National Grid Subdivision Corridor and removal of reference 'to the extent practicable').</p>	<p>Accept in part</p> <p>Refer s42A paras 4.3.16 and 4.3.28 and 9.3.82, 9.3.83 and 9.3.84</p>	<p>Accept the recommendation to combine SUB-P18 with SUB-P17, and amend as per submission point above.</p> <p>NU-P5 will be addressed in Hearing Stream 7.</p>
SUB – Rules	S79.077 Transpower	Amend	<p>As proposed the PDP Subdivision Chapter provides for the subdivision provisions relating to the National Grid Subdivision Corridor provided as a standard within SUB-S4, which is then references in each of the relevant rules.</p> <p>While Transpower supports a specific standard relating to subdivision within the National Grid Subdivision Corridor, Transpower seeks a stand-</p>	<p>Add a new subdivision rule (preference for it to be located in the 'NU - Network Utilities' chapter) as follows: 'Subdivision within the National Grid Subdivision Corridor All Zones</p>	<p>Rejected</p> <p>Refer s42A paras 4.3.26 – 4.3.28</p>	<p>Accept the recommendation to not amend the activity status from controlled to restricted discretionary. Refer Hearing Evidence for reasoning.</p>

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			<p>along rule and a specific standard and activity status that appropriately manages subdivision within proximity of the National Grid.</p> <p>In relation to a stand-alone rule, Transpower seeks a stand-alone rule (to be located within the Network Utilities chapter) as it would provide clarity to plan users.</p> <p>In relation to activity status, Transpower seeks that subdivision within the National Grid Subdivision Corridor be a restricted discretionary activity (as opposed to being controlled as notified) where the newly created lots comply with the standards SUB-S4. A restricted discretionary activity status for subdivision that demonstrated a building platform outside the National Grid Yard, and where vehicle access to support structures is maintained, provides an appropriate incentive to design subdivision layouts that avoid building sites within the National Grid Yard.</p> <p>The default non-complying activity status is supported on the basis it is considered the most effective means of giving effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.</p>	<p>1. Activity Status: RDIS Where the following condition is met: a. Compliance with: SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor. Matters of discretion are restricted to: The matters in SUB-AM172</p> <p>Activity status where compliance with SUB-S4(2) and SUB-S4(3) is not achieved: NC Notification An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.'</p>		<p>It is noted Transpower is not pursuing in evidence the sought relocation of the National Grid Subdivision rules into the Network Utilities Chapter.</p>
SUB-R1 SUB-R3 SUB-R4 Sub-R5 SUB-R6	S79.078 S79.079 S79.080 S79.081 S79.082	Amend	<p>Transpower seeks a stand-alone rule and a specific standard and activity status that appropriately manages subdivision within proximity of the National Grid. Transpower seeks this stand-alone rule be located within</p>	<p>Remove all reference to the 'National Grid Subdivision Corridor' from SUB-R1, on the basis of a new stand alone rule addressing this matter.</p>	<p>Reject</p> <p>Refer s42A paras 4.3.1, 4.3.12 –</p>	<p>Accept. Transpower is not pursuing in evidence the sought relocation of the National Grid</p>

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SUB-R7	S79.083 Transpower		the Network Utilities chapter, as it would provide clarity to plan users.		4.3.15, 4.3.45 and 4.3.46	Subdivision rules into the Network Utilities Chapter. The recommended cross refence within SUB-AM17 to the NU Chapter is supported
SUB-R1 SUB-R3 SUB-R4 SUB-R5 SUB-R6	S129.090 S129.092 S129.093 S129.094 S129.095 Kāinga Ora - Homes and Communities Transpower FS18.160	Oppose original submission	Transpower opposes the amendment seeking deletion of the non-complying activity status where compliance with the SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor standards is not achieved.	Transpower seeks the submission point be disallowed in part in so far as it relates to SUB-+R1(1)(d)	Accept in part (original submission point) Refer s42A paras 10.3.49 and 10.3.50 – 10.3.57	Support the recommendation to retain non-complying activity status when SUB-R1(1)(d) is not achieved.
SUB-S4	S79.084 Transpower	Amend	Notwithstanding Transpower is seeking the relocation of all the National Grid subdivision provisions within the Network Utilities chapter, Transpower supports the standards in that they provide a clear framework for managing the effects of subdivision on the National Grid.	Retain SUB-S4, but relocate it within the 'NU - Network Utilities' chapter.	Reject Refer s42A paras 4.3.12, 4.3.13, 4.3.14 and 4.3.15	Accept. Transpower is not pursuing in evidence the sought relocation of the National Grid Subdivision rules into the Network Utilities Chapter. The recommended cross refence within SUB-AM17 to the NU Chapter is supported.
SUB-S4	S121.070 Federated Farmers of New Zealand	Oppose original submission	Transpower opposes the relief sought in the submission point seeking deletion of the access standard within SUB-S4(3).	Transpower seeks the submission point be disallowed	Reject (original submission point)	Support the recommendation to not delete/amend provisions

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	FS18.20 Transpower				Refer s42A paras 4.3.33 and 4.3.40 – 4.3.43	as requested by Federated Farmers.
SUB-S4	S129.102 Kāinga Ora - Homes and Communities FS18.21 Transpower	Oppose original submission	Transpower opposes the submission point seeking deletion of the standards within SUB-S4.	Transpower seeks the submission point be disallowed in part in so far as it relates to SUB-S4(2), (3)	Reject (original submission point) Refer s42A paras 4.4.4, 4.3.41, 4.3.43 and 10.3.56	Support the recommendation to reject Kāinga Ora 's submission and retain provisions. As noted by the reporting officer, SUB-S4 is consistent with the higher-level statutory policy documents.
SUB-AM17	S79.085 Transpower	Amend	Notwithstanding Transpower is seeking the relocation of all the National Grid subdivision provisions within the Network Utilities chapter, Transpower supports the assessment matters as they clearly articulate the issues associated with subdivision within the National Grid Subdivision Corridor.	Retain SUB-AM17, but relocate it within the 'NU - Network Utilities chapter.	Reject Refer s42A para, 4.3.44 - 4.3.46.	Support the recommendation to retain SUB-AM17 within the subdivision chapter and amendment to have regard for the relevant objectives, policies and methods in the NU chapter when assessing applications for subdivisions with building platforms and/or compromised vehicle access within the National Grid Subdivision Corridor. Accept the recommendation in relation to the location of provisions.

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						Transpower is not pursuing in evidence the sought relocation of the National Grid Subdivision rules into the Network Utilities Chapter. The recommended cross reference within SUB-AM17 to the NU Chapter is supported
SUB-AM17	S129.121 Kāinga Ora - Homes and Communities FS18.22 Transpower	Oppose original submission	Transpower opposes the submission point and relief sought to delete SUB-AM17. The matters within SUB-AM17 provide a clear set of assessment matters and are supported.	Transpower seeks the whole of the submission point be disallowed	Reject (original submission point) Refer s42a para 12.3.55 - 121.3.58	Support the recommendation to retain SUB-AM17.
SUB – Principal Reasons	S79.076 Transpower	Support	Although not specific to the National Grid, Transpower supports the Explanation and Reasons.	Retain final paragraph of 'SUB - Principal Reasons' as drafted.	Accept in part Refer s42A paras 13.3.5 – 13.3.8	Accept recommendation to amendments to Principal Reasons
Earthworks						
Earthworks Definition	S79.003 Transpower	Support	Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of 'Earthworks'.	Accept Refer s42A para 4.3.2	Support the recommendation to retain the definition as notified.
EW-P1	S79.091 Transpower	Support	Transpower supports the policy recognition of avoiding or mitigating the adverse effects of earthworks which result in adverse effects on	Retain EW-P1.	Accept	Support the recommendation to retain as notified.

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			the stability of land, structures or building, noting the policy is not specific to the National Grid.		Refer s42A para 4.3.21	
EW-P7	S79.092 Transpower	Support	Transpower supports the policy recognition of the need to control earthworks, noting the policy is not specific to the National Grid.	Retain EW-P7.	Accept in part Refer s42A paras 4.3.31 and 4.3.32	Accept the recommendation to amend the provision to include 'Historic Heritage and Sites and Areas of Significance to Māori'.
EW-R5	S79.093 Transpower	Amend	<p>Transpower supports the rule framework relating to earthworks. In terms of effects, earthworks can compromise the National Grid which may lead to potential support structure failure, health and safety issues and significant constraints on the operation of the line.</p> <p>The non-complying activity status for those earthworks which do not meet the standards within EW-S6 (relating to a reduced conductor clearance, compromising the stability of a National Grid support, and that result in a permanent loss of vehicular access to any National Grid support structure) is supported.</p> <p>For remaining earthworks, a restricted discretionary activity status is supported where permitted condition (a) (being depth) is not complied with.</p> <p>The inclusion of reference to Vertical Holes is supported as such activities are excluded from the definition of 'Earthworks'.</p>	Retain EW-R5, and relocated to 'NU - Network Utilities' chapter.	Accept in part Refer s42A para 5.3.9, 5.3.40	<p>Accept in part the recommendation to retain the rule as notified and to not move the standard to NU.</p> <p>However, in response to submission S121.087, an amendment is sought to the rule to amend the setback distance and depth.</p> <p>Refer primary evidence.</p>

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EW-R5	S121.087 Federated Farmers of New Zealand FS18.23 Transpower	Oppose original submission	Transpower opposes the submission point seeking amendment to rule EW-R5.	Transpower seeks the whole of the submission point be disallowed	Reject (original submission point) Refer s42A para 5.3.9	Support the recommendation to disallow the Federated Farmers submission. However, in response to the submission, an amendment is sought to the rule to amend the setback distance and depth. Refer primary evidence.
EW-R5	S129.126 Kāinga Ora - Homes and Communities FS18.24 Transpower	Oppose original submission	Transpower opposes the submission point seeking amendment to Rule EW-R5 to require a 6m setback from support structures as opposed to 12m as notified.	Transpower seeks the whole of the submission point be disallowed	Reject (original submission point) Refer s42A paras 5.3.7 – 5.3.9	Support the recommendation to disallow Kāinga Ora's submission.
EW-S6	S79.094 Transpower	Amend	Transpower support the provision of standards to support Rule EW-R5. Earthworks restrictions are supported as earthworks have the potential to undermine transmission line structures, generate dust, 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.	Retain EW-R6, and relocated to 'NU - Network Utilities' chapter.	Accept in part Refer s42A paras 5.3.10 and 5.3.11	Accept the recommendation to retain rule EW-R6 as notified.
EW-S6	S81.091 Horticulture New Zealand	Oppose original submission	Transpower acknowledge the concerns of the submitter that ancillary rural earthworks such as cultivation and road and track maintenance should be provided for as permitted activity consistent with	Transpower seeks the whole of the submission point be disallowed	Reject (original submission point)	Support the recommendation to retain ancillary rural earthworks as notified.

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	FS18.25 Transpower		NZCEP:2001. However, on the basis ancillary rural earthworks such as cultivation and road and track maintenance meet the standards and are therefore permitted, and the current definition of 'earthworks' excludes cultivation, no amendment is considered necessary to Rule EW-R5.		Refer s42a para 6.3.17	
EW-S6	S85.016 Rayonier Matarki Forests FS18.26 Transpower	Allow original submission	Given there are no existing established forests within the Central Hawke's Bay, existing underneath transmission lines, Transpower had no objection to the relief sought.	Transpower accepted the relief sought.	Accept in part (original submission point)	Support the officer recommendation to retain EW-R5 and EW-S6 given the reference to the NES-PF.
EW-S6	S121.097 Federated Farmers of New Zealand FS18.27 Transpower	Oppose original submission	Transpower opposes the submission point. Rule EW-S6 provides appropriate standards in which manage earthworks within proximity of the National Grid.	Transpower seeks the whole of the submission point be disallowed	Reject (original submission point) Refer s42A para 5.3.40, 5.3.42	Support the recommendation to disallow the submission point by Federated Farmers noting Transpower does accept the relief sought to amend the reference is Standard 2 from a 6.5m clearance distance to reference to Table 4 of NZCEP 34. This is outlined in the primary evidence.