

# Submission by Transpower New Zealand Ltd on the Proposed Central Hawke's Bay District Plan

August 2021

*Keeping the energy flowing*



TRANSPOWER





## Proposed District Plan submission form

Remember submissions close on Friday 6 August 2021 at 5pm.

Clause 6 of the First Schedule, Resource Management Act 199.

Feel free to add more pages to your submission to provide a fuller response.

To: Central Hawke's Bay District Council			
1. Submitter details			
Full Name	Last	First	
Company/Organisation (if applicable)	<b>Transpower New Zealand Ltd</b>		
Contact Person (if different)	<b>Rebecca Eng</b>		
Email Address	<b>Environment.Policy@transpower.co.nz</b>		
Address	<b>PO Box 17215, Greenlane, Auckland</b>	Postcode	<b>1546</b>
Phone	Mobile	Home	Work <b>09 590 7072</b>
<input type="checkbox"/> 2. This is a submission on the Proposed District Plan for Central Hawke's Bay			
<input type="checkbox"/> 3. <del>I could</del> <b>Transpower NZ Ltd could not</b> gain an advantage in trade competition through this submission			
<i>If you could gain an advantage in trade competition through this submission please complete point 4 below:</i>			
<input type="checkbox"/> 4. I am <input type="checkbox"/> I am not - directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. <i>(Please tick relevant box if applicable)</i>			
<i>Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.</i>			
<input type="checkbox"/> 5. <b>Transpower NZ Ltd</b> wish to be heard in support of its submission in person			
<input type="checkbox"/> 6. <b>Transpower NZ Ltd</b> will not consider presenting a joint case with other submitters, who make a similar submission, at a hearing.			
<input type="checkbox"/> 7. Do you wish to present your submission via Zoom? Yes No - <b>Potentially but will depend on the hearing schedule and s42A Report recommendations.</b>			
<input type="checkbox"/> 8. Please complete section below <i>(insert additional boxes per provision you are submitting on):</i>			
The specific provision of the plan that my submission relates to: <input type="checkbox"/> <input type="checkbox"/>			
<b>Refer attached.</b>			
Do you: Support Oppose Amend <i>(Please tick relevant box)</i> <b>Refer attached.</b>			
What decision are you seeking from Council? <b>Refer attached</b>			
Reasons: <b>Refer attached.</b>			
Please note: All submissions will be treated as public documents and will be made available on Council's website. However, you may request that your contact details (but not your name) be withheld. If you want your contact details withheld, please let us know by ticking <input type="checkbox"/> this box.			

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**CENTRAL HAWKE'S BAY**  
DISTRICT COUNCIL

## **SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON THE PROPOSED CENTRAL HAWKE'S BAY DISTRICT PLAN 2021**

### **Overview**

The following provides specific submission points from Transpower New Zealand Limited ("**Transpower**") on the Proposed Central Hawke's Bay District Plan ("**PDP**").

This submission follows on from comments made in July 2019 on the draft plan (and the informal hearing held in February 2020) and has been prepared to assist the Council in ensuring the planning framework under the PDP appropriately recognises and provides for the National Grid. Specifically, from Transpower's perspective, the provisions of the PDP need to ensure that it:

- Gives effect to the National Policy Statement on Electricity Transmission 2008 ("**NPSET**" or "**NPS**");
- Recognises the need to sustainably manage the National Grid as a physical resource of national significance;
- Recognises the benefits of the National Grid at local, regional and national levels; and
- Provides for the effective operation, maintenance, upgrading and development of the National Grid.

In general, the approach adopted in the PDP is broadly supported by Transpower; specifically, the provision of a framework of objectives, policies and rules that recognises and appropriately provides for the National Grid. In particular, the inclusion of provisions specific to the National Grid are supported, and the provision of a buffer corridor management approach. However, Transpower considers that a number of refinements are still required to better reflect the direction and scope of the NPSET in the PDP. Transpower would also support the location of all the relevant National Grid provisions within the NU - Network Utilities Chapter.

### **Introduction to Transpower**

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and approximately 170 substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

Transpower's Statement of Corporate Intent for July 2020 to June 2023, states that:

*Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:*

- *As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*
- *As system operator, to operate a competitive electricity market and deliver a secure power system*

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to seek security of supply, thereby contributing to New Zealand's economic and social aspirations. It has to be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient district plan where it may affect the National Grid, including possible future changes.

### **Central Hawke's Bay District Transmission Assets**

Transpower has a number of overhead and underground transmission line, substation and telecommunications assets within the Central Hawke's Bay District, comprising the following:

- Fernhill - Woodville A 110kV transmission line (FHL-WDV A);
- Fernhill - Woodville B 110kV transmission line (FHL-WDV B); and
- Waipawa Substation on Onga Onga Road

Both the above lines are primarily on single circuit poles, with single and double circuit steel towers used for river crossings.

The substation is presently subject to a designation that Transpower has requested to be "rolled-over" as part of the Plan review process (clause 4 of the First Schedule of the Resource Management Act 1991 (RMA)).

Attached as Appendix 1 is a map of Transpower's assets in the Central Hawke's Bay District.

### **Statutory Framework**

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

The National Policy Statement on Electricity Transmission was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as Appendix 2.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, district councils have to work through how to make appropriate provision for the National Grid in their district plans.

The one 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:*

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

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

The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environment effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid including the establishment of new National Grid assets is explicitly recognised in the NPSET.

Policy 1 of the NPSET provides 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, development and use of new electricity generation, and enhanced supply.

Policies 2 to 9 provide RMA decision-makers direction for managing the environmental effects of transmission activities.

Recognition of the development of the National Grid is also required in Policy 2 of the NPSET, in that "decision makers must recognise and provide for ... the development of the electricity transmission network". Policy 2 is as follows:

*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.*

Policies 3 to 5 contain matters to which decision-makers must consider or have regard to, including:

- the constraints imposed on avoiding, remedying or mitigating adverse effects by the technical and operational requirements of the network
- the role of the route, site and method selection process in avoiding, remedying or mitigating adverse effects for new or major upgrades of transmission infrastructure, and
- the enablement of the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

Policies 6 to 8 relate to Transpower's responsibilities under the NPSET, with Policy 6 promoting the reduction of existing adverse effects where substantial upgrades of transmission line infrastructure are undertaken. Policies 7 and 8 relate to circumstances in which the effects of transmission infrastructure could be reduced, minimised or avoided in urban and rural environments. Policy 9 specifically relates to standards for dealing with electric and magnetic fields.

Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas. The wording of NPSET Policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET).

Policy 8 is as follows:

*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.*

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address. Policy 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.*

Policy 11 relates to the development of buffer corridors, and is as follows:

*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).*

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Policies 13 and 14 relate to the long-term strategic planning for transmission assets. Under 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.

Section 75(3)(a) of the RMA requires that district plans must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it<sup>1</sup>.

It is therefore a requirement that local policy reflects national direction and that the local policy is effective in helping support the integrated management of natural and physical resources within the district, as well as across the region as a whole.

**Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009**

The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 ("NESETA") came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines (which are typically designated).

Activities covered by the NESETA are activities relating to the operation, maintenance, upgrading, relocation or removal of an existing transmission line, including:

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

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. The NESETA regulates how Transpower's existing lines in the District are developed and maintained, rather than the District Plan Rules.

<sup>1</sup> Environmental Defence Society Inc v the New Zealand King Salmon Co Ltd [2014] NZSC 38, [2014] 1 NZLR593 (*King Salmon*) Most recently, reaffirmed in Royal Forest and Bird Protection Society of NZ Inc v Bay of Plenty Regional Council [2017] NZHC 3080 [12 December 2017]

### *Other Regulations*

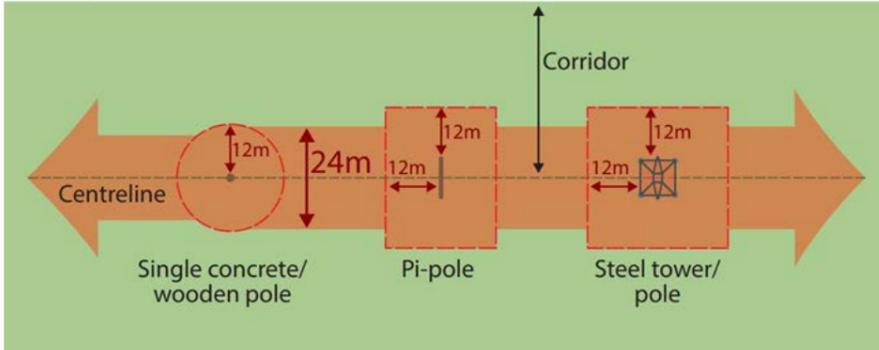
Regulation 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, section 2(i) further acknowledges the importance of Transpower's National Grid assets, requiring Transpower to be directly served notice of applications or reviews that are publicly notified and that may affect the National Grid.

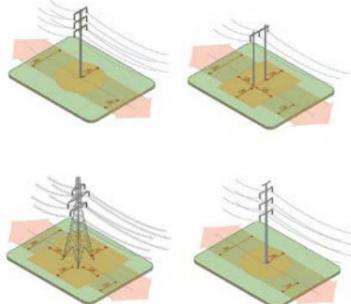
### **Specific Submission Points**

Transpower is broadly supportive of the PDP. However, there are some amendments sought by Transpower in this submission that would give effect to the NPSET. A number of submissions also seek clarity as to the relationship between the Network Utilities chapters and other chapters in the plan, as well as the relocation of all the National Grid provisions within the NU – Network Utilities chapter.

Specific submission points are included below and for the avoidance of doubt, **include any consequential relief** to the specific relief sought. Amendments suggested through these points are shown as red underlined or ~~strike through~~ text.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>Part 1 Introduction and General Provisions</b>			
<b>How the Plan Works</b>			
<p><b>Statutory Content – National Level</b>  <i>At the National level the Resource Management Act provides for:</i>  <u>National Policy Statements</u>: which set out policy on matters of national significance relevant to achieving the purposes of the RMA. A number of National Policy Statements have been promulgated and the District Plan must give effect to these.  <u>National Environmental Standards and Regulations</u>: technical standards in the form of regulations which relate to the use, development and protection of natural and physical resources. National and Environmental Standards and regulations are regulations issued under sections 43 and 44 of the RMA and apply nationally. They can prescribe technical standards, methods or other requirements for environmental matters. Each Regional, City or District Council must enforce the same standard. City or District Councils can amend their District Plan or Proposed Plan to include the reference to the National Environmental Standard without using the process set down in Schedule 1 of the RMA (which sets out the process for the preparation, change and review of policy statements and plans).  <u>National Planning Standards</u>: set out requirements or other provisions relating to any aspect of the structure, format, or content of plans prepared under the RMA. The planning standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA). Their development is enabled by sections 58B–58J of the RMA.</p>	Support	Transpower supports reference to the National Instruments.	Retain the Statutory content section.
<b>Interpretation</b>			
<b>Chapter 3: Definitions</b>			
<p><b>BUILDING</b>  <i>means a temporary or permanent movable or immovable physical construction that is:</i>  a) <i>partially or fully roofed; and</i>  b) <i>is fixed or located on or in land;</i>  <i>but excludes any motorised vehicle or other mode of transport that could be moved under its own power.</i></p>	Support	While not directly applicable to the majority of Transpower’s assets, Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of Building
<p><b>EARTHWORKS</b>  <i>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</i></p>	Support	Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of Earthworks.
<p><b>FUNCTIONAL NEED</b>  <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i></p>	Support	Given the term ‘Functional need’ is used within the plan, Transpower supports the provision of the definition as provided in the mandatory directions within the National Planning Standards.	Retain the definition of Functional need
<p><b>MAINTENANCE (NETWORK UTILITIES)</b>  <i>to keep in existing order, to prevent loss or deterioration, or to restore to working order. Does not include extending, replacing, removing or demolishing a structure, or any substantive change to the form, orientation, or outline of the structure.</i>  <b>Specifically in relation to network utilities, ‘maintenance’ means:</b>  <i>any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. Also includes the addition of extra lines to existing or replacement poles or other support structures.</i></p>	Support	The definition is supported on the basis it provides clarity for plan users as to what constitutes maintenance, and therefore assists in plan interpretation and application. It is noted the NESETA provides specific provisions for maintenance works to the National Grid which prevail over the PDP rules.	The definition of ‘Maintenance’ be retained.
New definition	Support with amendment	A new definition for Minor Upgrading is sought on the basis it would provide clarity for plan users as to what constitutes minor upgrading, and therefore assists in plan interpretation and application. The term is used within permitted rule NU-R2. It is noted the NESETA provides specific provisions for upgrade works to the National Grid which prevail over the PDP rules.	A definition of ‘Minor upgrading’ be provided.  <u>MINOR UPGRADING (NETWORK UTILITIES)</u> <i>an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures, and includes any of the following activities:</i> <ul style="list-style-type: none"> <li>• <i>the re-conductoring of the line with higher capacity conductors</i></li> <li>• <i>the re-sagging of conductors</i></li> <li>• <i>the addition of longer and more efficient insulators</i></li> </ul>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
			<ul style="list-style-type: none"> <li>• <u>a support structure placement within a similar location as the support structure that is replaced</u></li> <li>• <u>the addition of earthwire, which may contain telecommunication lines, earthpeaks and lightning rods</u></li> <li>• <u>the addition of electrical or telecommunication fittings</u></li> <li>• <u>support structure replacement in the same location or within the existing alignment of the transmission line corridor</u></li> <li>• <u>the replacement of existing cross arms, including with cross arms of an alternative design of a similar scale</u></li> <li>• <u>an increase in support structure height to achieve compliance with the clearance distances specified in NZECP34:2001</u></li> <li>• <u>the addition of overhead lines to provide individual service connects to a site (including any connection to a building within that site) from an existing overhead network, provided no more than one new support structure is required. Minor upgrading does not include:</u></li> <li>• <u>increasing the carrying capacity of existing structures</u></li> <li>• <u>any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage</u></li> <li>• <u>any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 35 millimetres</u></li> <li>• <u>the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30 millimetres in diameter</u></li> <li>• <u>the addition of any new circuits, lines or utility structures.</u></li> </ul>
<p><b>NATIONAL GRID</b> as defined in the National Policy Statement on Electricity Transmission (2008) (as set out in the box below), and as identified as the 'National Grid Line' on the Planning Maps. <u>means the assets used or owned by Transpower NZ Limited.</u></p>	Support	The definition of 'National Grid' is supported as it provides clarity for plan users as to what is the National Grid. The alignment to the reference shown on the planning maps is supported.	The definition of 'National Grid' be retained.
<p><b>NATIONAL GRID SUBDIVISION CORRIDOR</b> the area measured either side of the centreline of above ground National Grid line as follows:</p> <p>a. 14m for 110kV national grid lines on single poles b. 32m for 110kV transmission lines on towers</p>  <p>The diagram shows a central 'Centreline' with a 24m wide 'Corridor' indicated by a double-headed arrow. Three pole types are shown: 'Single concrete/ wooden pole' with a 12m setback from the centerline; 'Pi-pole' with a 12m setback from the centerline; and 'Steel tower/ pole' with a 12m setback from the centerline. The corridor width is 24m, which is wider than the 12m setbacks shown for the poles.</p> <p>The National Grid Subdivision Corridor and National Grid Yard do not apply to underground cables or any underground transmission lines (or sections of line) that are designated by Transpower. The measurement of setback distances from National Grid lines is to be taken from the centre line of the two support structures at each end of the span.</p>	Support	<p>Transpower supports the definitions for National Grid Subdivision Corridor (and the National Grid Yard) as the provision of such definitions give effect to the NPSET. They clearly articulate the framework in which to manage potential adverse effects on the National Grid.</p> <p>The 'National Grid Subdivision Corridor' width within Central Hawke's Bay is based on the distance from the centreline between the support structures to a point where the conductor would swing under possible high wind conditions, and is the swing of the 95th percentile span across the country, as well as other variables. It is important that the swing of conductors can be taken into account in the subdivision process so that the allotment(s) can be safely developed and used. This is why differing widths are provided for different voltage lines.</p> <p>In essence the Corridor is wider than the Yard and the Corridor and Yard overlap.</p>	The definition of 'National Grid Subdivision Corridor' be retained.
<p><b>NATIONAL GRID YARD</b> the area located within 12m in any direction from the outer visible edge of a National Grid support structure foundation or the area located within 10m either side of the centreline of an overhead 110kV National Grid line on single poles or the area located within 12m either side of the centreline of any overhead National Grid line on pi-poles or towers (including tubular steel towers where these replace steel lattice towers). The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated by Transpower New Zealand. The measurement of setback distances from National Grid lines shall be taken from the centerline of the transmission line and from the outer edge of any support structure. The centerline at any point is a straight line between the centre points of the two support structures at each end of the span.</p>	Support with amendment	Transpower supports the definitions for the National Grid Yard (and National Grid Subdivision Corridor) as the provision of such definitions give effect to the NPSET. They clearly articulate the framework in which to manage potential adverse effects on the National Grid.	The definition of 'National Grid Yard' be retained.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
			
<p><b>NATIONALLY SIGNIFICANT INFRASTRUCTURE</b> <i>means:</i></p> <ul style="list-style-type: none"> <li>a. <i>State Highways;</i></li> <li>b. <i>the National Grid electricity transmission network;</i></li> <li>c. <i>national renewable electricity generation facilities that connect with the National Grid;</i></li> <li>d. <i>major gas or oil pipeline services (such as the gas transmission pipeline from Taranaki);</i></li> <li>e. <i>any railway (as defined in the Railways Act 2005).</i></li> </ul>	Neutral	<p>The definition of 'Nationally significant infrastructure' is used within assessment matters CE-AM2 and NFL-AM2.3, and Rule ECO-P9<sup>2</sup>. It is assumed the definition within the PDP has been derived from the NPS-UD 2020 with the list confined to that infrastructure which is actually within the district.</p> <p>While Transpower does not have a position on the definition of 'Nationally Significant Infrastructure', it does have concerns as to how the definition is applied in the plan and the implications for that application in terms of giving effect to the NPSET. The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Nationally significant infrastructure provisions.</p> <p>Depending on how the National Grid is addressed in the district plan, Transpower is neutral on the definition and the inclusion of reference to the National Grid.</p> <p>It is noted the PDP references the term "Regionally significant infrastructure" but no definition is provided (nor is one provided in the Regional Policy Statement). Given the National Grid would be considered regionally significant, Transpower does not seek a specific definition. However, there may be benefit in providing a definition for certainty.</p>	On the basis the relief sought in Transpower's other submission points are given effect to, Transpower is neutral on the definition.
<p><b>NETWORK UTILITY OPERATOR OR NETWORK UTILITY OPERATION</b> has the same meaning as in s166 of the RMA (as set out in the box below) means a person who—</p> <ul style="list-style-type: none"> <li>a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or</li> <li>b. operates or proposes to operate a network for the purpose of— <ul style="list-style-type: none"> <li>i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or</li> <li>ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</li> </ul>                     or                 </li> <li>c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or</li> <li>d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</li> <li>e. undertakes or proposes to undertake a drainage or sewerage system; or</li> <li>f. constructs, operates, or proposes to construct or operate, a road or railway line; or</li> <li>g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or</li> <li>h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or</li> <li>i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,—</li> </ul> <p>and the words network utility operation have a corresponding meaning.</p>	Support	Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of 'Network utility operator'.

<sup>2</sup> ECO-P9

To ensure that new nationally significant infrastructure is not located in areas of significant indigenous vegetation and/or significant habitats of indigenous fauna unless:

1. There is a functional or operational need for the infrastructure to be in that particular location; and
2. The route/site selection process has identified no practicable alternative locations.

Where it is necessary to locate in these areas and where, despite the adoption of the best practicable option, there remain residual adverse effects, biodiversity offsetting measures should be proposed for the purpose of ensuring positive effects on the environment sufficient to offset any residual adverse effects of activities on indigenous biodiversity that will or may result from allowing the activity.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>OPERATIONAL NEED</b> <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</i>	Support	The term 'Operational need' is used within the plan and is supported. Transpower supports the provision of the definition and notes it reflects the mandatory direction within the National Planning Standards.	The definition of Operational be retained.
<b>SENSITIVE ACTIVITY</b> <i>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.</i>	Support with amendment	The definition of 'sensitive activities' is used within the plan, in some provisions being specific to the National Grid. However, the term used in the PDP is wider than that typically sought and applied to the National Grid in respect of reverse sensitivity effects and would inappropriately capture activities beyond those that should be managed near the National Grid. As such, Transpower would support an amendment to the definition to make it clear what activities are included. In particular, Transpower considers that tightening the definition would enable better effect to be given to the rules specific to third party activities within the National Grid. As alternative, Transpower would support a definition sensitive activity specific to the National Grid	The definition be amended as follows.  <i>SENSITIVE ACTIVITY</i> <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</del> activities, marae, urupā, visitor accommodation, rest homes, retirement villages, day care facilities, educational facilities and hospitals.  Alternately, Transpower would support a definition that is specific to the National Grid.
<b>RENEWABLE ELECTRICITY GENERATION ACTIVITIES</b> <i>the construction, operation, maintenance and upgrading of structures associated with renewable electricity generation. Includes small and community-scale distributed renewable electricity generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</i>	Support	The definition is supported as it provides clarity for plan users as to what are Renewable Electricity Generation Activities. Specifically, the reference to the National Grid is supported as it acknowledges renewable generation activities requires transmission and connections to the National Grid	The definition of 'Renewable Electricity Generation Activities' be retained.
<b>National Direction Instruments</b>			
<b>NATIONAL POLICY STATEMENTS AND NEW ZEALAND COASTAL POLICY STATEMENT</b>  <b>NATIONAL ENVIRONMENTAL STANDARDS</b>	Support	The references and accompanying tables reflect the mandatory direction provided in the National Planning Standards. Transpower supports the provisions.	Retain the reference tables for the national direction instruments.
<b>Part 2 District Wide Matters</b>			
<b>Strategic Direction</b>			
<b>RLR – Rural Land Resource</b>			
<b>RLR-P4</b> <i>To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone</i>	Support with amendment	Transpower largely supports the policy but requests amendment to recognise that some activities (such as the National Grid which is a linear infrastructure network) often require and are more appropriately located within a rural location.	Amend Policy RLR-P4 as follows:  <i>To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not <u>unduly</u> compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone, <u>recognising that some non-primary production activities are more appropriately located within a rural location.</u></i>
<b>Energy, Infrastructure and Transport</b>			
<b>NU – Network Utilities</b>			
<i>NU – Network Utilities Chapter</i>	Support with amendment	Transpower is supportive of a specific Network Utilities Chapter as the provision of a chapter reflects the mandatory direction in the National Planning Standards. As proposed, the majority of the provisions do not specifically address the National Grid, rather group all Network Utilities together. Transpower is not opposed to such an approach. However, in order to give effect to the NPESET, Transpower seeks provisions specific to the National Grid.	Subject to the relief sought in its other submission points, Transpower supports the NU Chapter but also seeks provisions specific to the National Grid, as outlined in its submission.
<i>The provisions in this chapter override the respective Zone provisions in Part 3 Area-Specific Matters, unless otherwise specified in this chapter.</i>  <b>INTRODUCTION</b> <i>The purpose of the Network Utilities chapter is to manage the construction, operation and maintenance of all network utilities. Network utilities are physical resources that provide infrastructure service networks such as water supply, sewerage, trade waste and stormwater drainage networks, roads and rail networks, cycleway and walkway networks, telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, and associated buildings, structures, equipment and customer connections.</i>	Support with amendment	Transpower largely supports the introductory statement which outlines the role, and importance of network utilities. The reference to the NES's is supported, as it clarifies that the NES's prevail (which is the case for the NESETA).  Transpower also supports paragraph 4 of the Introduction which provides that "the network utility provisions in the District Plan provide for the establishment, operation and maintenance of network utilities throughout the District, and manage their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazard). Because many network utilities are lineal, and traverse	That the Introduction be amended as follows: ..... <i>Because many network utilities are lineal, and traverse many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District.</i> <i>Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the National Grid, and gas transmission pipelines) are contained <u>within the Network Utilities provisions of the plan, elsewhere in the District Plan, in the respective zones in Part 3 of the District Plan, and the NOISE – Noise chapter of the District Plan.</u></i> .....

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><i>Network utilities provide essential services and are critical to the efficient and ongoing functioning of the District. They enable communities to undertake everyday activities and functions and allow people to provide for their social, cultural and economic wellbeing and their health and safety.</i></p> <p><i>Under the RMA, the Council is required to manage the effects of the use and development of network utilities on the environment, as it must for other land use activities. Given the essential role of network utilities, it is recognised that network utility operators require certainty as to those works which can proceed without resource consent and those which require consent.</i></p> <p><i>To achieve this, the network utility provisions in the District Plan provide for the establishment, operation and maintenance of network utilities throughout the District, and manage their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazard). Because many network utilities are lineal, and traverse many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District. Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the National Grid, and gas transmission pipelines) are contained elsewhere in the District Plan, in the respective zones in Part 3 of the District Plan, and the NOISE – Noise chapter of the District Plan.</i></p> <p><i>A number of network utility operators, including the Council, also utilise their ability to designate sites for a specified network utility purpose. Designations are identified on the Planning Maps and are listed in the District Plan.</i></p> <p><i>Additional regulatory requirements, separate to the District Plan, are also relevant to network utilities, including:</i></p> <ul style="list-style-type: none"> <li><i>The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case of conflict or perceived conflict with any provision of this plan, the NESETA provisions prevail.</i></li> <li><i>The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF) which apply to Telecommunications infrastructure, such as cabinets, antennas, poles, small-cell units and telecommunications lines. In the case of conflict or perceived conflict with any provision of this plan, the NESTF provisions must prevail.</i></li> <li><i>Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, upgrading and removal of network utility structures in the road.</i></li> <li><i>Compliance with the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34:2001, including any activities that are otherwise permitted by the plan, must comply with this regulation.</i></li> <li><i>Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory. All activities regulated by these regulations, including any activities that are otherwise permitted by the plan, must comply with this regulation.</i></li> <li><i>Connections to a network utility require approval of the relevant network utility operator, and works within roads require approval of the relevant road controlling authority.</i></li> </ul> <p><i>In the case of conflict with any other provision of this Plan, including any rule in this Chapter, the provisions of the NESETA and NESTF must prevail.</i></p>		<p><i>many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District.”. This statement makes it clear that the operation, maintenance, upgrade and development of the National Grid is to be solely addressed in the NU chapter. This approach is supported. However, the above statement is potentially confused by references within the Notes section to the Rules, “Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter”. And “It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise)”. These clauses are confusing in light of the earlier clause saying the NU provisions are stand alone. The relationship between chapters is further confused by Method NU-M1 which includes reference to multiple other PDP chapters that apply to buildings and structures. An amendment is sought to NU-M1 in other submission points.</i></p> <p><i>In respect of the effect of other activities on the National Grid, while the introduction is largely supported, as proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities section, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters). However, there are no corresponding policies or cross references to the Network Utilities Chapter and therefore the rules in the other chapters appear in isolation of any corresponding policy framework. Following the plan philosophy of users not needing to refer to other chapters, as currently proposed, users would not know to refer to, or be directed to refer to, the Network Utilities Chapter to find the related policies.</i></p> <p><i>Transpower’s preference is for a standalone set of provisions within the Network Utilities Chapter as it avoids duplication (in terms of the zone rules) and provides a coherent set of rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions.</i></p> <p><i>A standalone set of provisions as provided in the notified plan is also consistent with the National Planning Standards. 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’. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities ‘chapter’.</i></p>	<p><b>And</b></p> <p>That clarity be provided as to the relationship of the NU chapter to other chapters in the PDP, and amendments be made to the PDP to clarify the provisions and make the NU chapter stand alone.</p>
<p><b>NU-I1 Essential Role of Network Utilities – Issue</b></p> <p><i>Network utilities have important functions and enable people and communities to provide for their health and safety and social, economic, and cultural wellbeing, but can have adverse effects on the environment, often due to their technical, operational, and location-specific requirements.</i></p> <p><b>Explanation</b></p> <p><i>Network utilities are physical resources which are an essential part of the District's infrastructure in providing for the efficient and ongoing functioning of the District and the social, economic and cultural well-being of people and communities, and for their health and safety. By their nature, network utilities vary in scale and significance, are located above and below ground, are dispersed throughout the District, and often have functional and/or operational needs in order to ensure a safe, efficient, secure and resilient service. This can generate specific locational requirements. The contribution to everyday life, to the economy and to connecting people and communities, including in emergencies, means that provision for the operation and development of network utilities is significant.</i></p>	<p>Support</p>	<p>Transpower supports the issue as it articulates the benefits and importance of network utilities, but also recognises there may be adverse effects on the environment.</p>	<p>That Issue NU-I1 be retained.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>NU-I2 Adverse Effects of Network Utilities and Amateur Radio Configuration – Issue</b> <i>Some network utilities and amateur radio facilities can have adverse effects on the environment.</i></p> <p><i>Explanation</i> <i>Network utilities, particularly where small-scale and/or located underground, can have only a minor impact on the environment. Some network utilities and amateur radio facilities can, however, have adverse effects on the environment. These effects may result from land disturbance in establishing them, be generated by the operation itself, or be associated with their ongoing maintenance, upgrading or development. Such effects can include visual amenity and landscape character impacts, particularly where siting in prominent areas is required for transmission or service, risks to public health and safety, and generating nuisance such as noise, vibration, lighting, and traffic effects.</i></p> <p><i>The effects of network utilities and amateur radio configuration can also have greater impact on residential environments than other areas, and on sites of significance throughout the District, such as significant natural areas, outstanding landscape features, historical heritage sites and sites of significance to Maori. The siting of network utilities and amateur radio facilities can also potentially worsen risk in areas subject to natural hazards. Sometimes these adverse effects have to be balanced alongside recognising any special technical requirements or constraints which may limit where a network utility can be sited.</i></p>	Support	Transpower is supportive of the recognition of technical requirements or constraints, and that a balanced approach is required.	That Issue NU-I2 be retained.
<p><b>NU-I3 Effects of Other Activities on Network Utilities - Issues</b> <i>New subdivision, land use and development may impact on the safe and efficient functioning of network utilities.</i></p> <p><i>Explanation</i> <i>New subdivision, land use and development in close proximity to existing network utilities can have the potential to constrain or compromise the efficient or effective operation, maintenance and development of those network utilities. In some instances, this can compromise health and safety through the location of sensitive activities close to network utilities, and through activities not adhering to safe clearances or safe distances from network utilities e.g. from electricity transmission networks (including the National Grid), high pressure gas network, overhead lines and cables, navigational aids, road and railway corridors etc.</i></p>	Support	Transpower supports recognition of the effects of other party activities on network utilities, and in particular the potential for some activities to constrain and compromise network utilities. The issue appropriately recognises that that the issue of adverse effects on the network is wider than solely that of reverse sensitivity. Specific recognition of the National Grid is supported.	That Issue NU-I3 be retained.
<p><b>NU-O1 – Objective</b> <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i></p>	Support	Transpower supports the objective as it recognises the importance and role of network utilities. While not specific to the National Grid, Transpower supports the general application of the objective. The objective is given effect to in policies, specifically policy NU-P1 which references benefits. The objective gives effect to the NPSET. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O1 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-O2 Objective</b> <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i></p>	Support	Transpower supports the objective as it recognises the functional and operational needs (which include constraints) of network utilities. While not specific to the National Grid, Transpower supports the general application of the objective. The objective gives effect to the NPSET. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O2 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-O3 Objective</b> <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p>	Support	The provision of an objective specific to effects on network utilities is supported. In particular, Transpower supports recognition that it is not only reverse sensitivity effects which can compromise network utilities, but also the direct adverse effects of subdivision, land use and development. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O3 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-P1 Policy</b> <i>Recognise the national, regional and local importance and benefits of network utilities, including as lifeline utilities during an emergency, by:</i></p> <ol style="list-style-type: none"> <li><i>1. enabling the operation, maintenance, repair, minor upgrade or removal of network utilities throughout the District;</i></li> <li><i>2. providing for upgrades to, and the development of new, network utilities;</i></li> <li><i>3. providing flexibility for network utilities to adopt new technologies that improve access to and efficient use of networks and services, allow for re-use of redundant services or structures, increase resilience, safety or reliability, or result in environmental benefits and enhancements; and</i></li> <li><i>4. recognising the functional and operational needs of network utilities.</i></li> </ol>	Support	The recognition of the benefits of Network Utilities is supported, and gives effect to Policy 1 of the NPSET. The remainder of the policy gives effect to Policies 2, 3, and 5 of the NPSET. Should the policy be amended, Transpower would support a specific policy to give effect to the NPSET.	That Policy NU-P1 be retained.  <b>Or</b> Should the policy be amended, Transpower would support a specific policy to give effect to the NPSET.
<p><b>NU-Policies</b> <b>New Policy sought</b></p>	New Policy	Transpower would support the provision of a policy relating to managing the effects of the National Grid electricity transmission network. Such a policy would give effect to Sections 6 and 7 (policies 1 – 8) of the NPSET. In particular: Policy 8 of the NPSET provides that rather than applying a strict 'avoid' approach, the National Grid 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'. Given the nature of	Inset a new policy as follows: <b>NU-Pa</b> <i>Manage the adverse effects of the planning and development of the National Grid by:</i> <ol style="list-style-type: none"> <li><i>1. Considering the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection process.</i></li> <li><i>2. Having regard to the functional and operational needs of the network.</i></li> </ol>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		<p>existing assets within the district and very confined nature of existing settlements, the policy approach by Transpower is focused on Policy 8 of the NPSET which relates to rural areas as opposed to Policy 7 (Urban areas).</p> <p>Clause 1. would give effect to NPSET Policy 4. When considering the development of a new line or major upgrades, Transpower undertakes route, site and method selection as part of its options assessment to assess and evaluate various transmission options. Consideration of this assessment when assessing the environmental effects is therefore an important policy consideration. Clause 1. would make it clear that the key consideration is the extent to which adverse effects have been avoided remedy or mitigated. Clause 1. is not specifically addressed within Policy NU-P1 and is appropriately included within an effects policy.</p> <p>Clause 2. would give effect to NPSET Policy 3. When considering measures to avoid, remedy or mitigate adverse effects, decision makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network. Clause 2. is specifically addressed within Policy NU-P1 but is appropriately included within an 'effects' policy as framed in NPSET Policy 3.</p> <p>Clauses 3 and 4. give effect to NPSET Policy 8. Policy 8 provides a 'seek to avoid' approach within more valued areas. Clause 4. also reconciles the NPSET and the NZCPS by providing a policy framework specific to the coastal environment. Clause 5. is a general avoid, remedy or mitigate clause.</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, they do not give effect to the NPSET in terms of recognising the clear policy directives in respect of the National Grid.</p>	<p>3. <i>Seeking to avoid adverse effects on identified High Natural Character Areas, Outstanding Natural Features and Landscapes, Significant Natural Areas, Significant Amenity Features, and areas of high recreational value or high amenity in rural areas.</i></p> <p>4. <i>Seeking to avoid significant adverse effects on other areas of natural character and other natural features and landscapes in the coastal environment.</i></p> <p>5. <i>Avoiding, remedying or mitigating other adverse effects.</i></p> <p><i>In the event of any conflict with any other objectives and policies within the Plan, Policy NU-Pa takes precedence.</i></p>
<p><b>NU-P2 Policy</b> Avoid adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</p> <ol style="list-style-type: none"> <li>1. <i>Historical Heritage Items (in HH-SCHED2) and Notable Trees (in TREE-SCHED4);</i></li> <li>2. <i>Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Māori (in SASM-SCHED3);</i></li> <li>3. <i>Significant Natural Areas (in ECO-SCHED5); and</i></li> <li>4. <i>Outstanding Natural Features and Landscapes (in NFL-SCHED6);</i></li> </ol> <p>while recognising the extent to which adverse effects can be avoided, may be constrained by a network utility's functional or operational needs.</p>	<p>Support with amendment</p>	<p>Given the specific wording and intent of the NPSET, Transpower seeks a specific National Grid policy as sought above (NU-Pa).</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, they do not give effect to the NPSET in terms of recognising the clear policy directives in respect of the National Grid.</p>	<p>On the basis a specific National Grid policy is provided, Transpower is neutral on Policy NU-P2. However, should a specific policy not be provided Transpower seeks amendment to NU-P2 to give effect to the NPSET, including the 'seek to avoid' approach within Policy 8 of the NPSET.</p>
<p><b>NU-P3 Policy</b> Avoid significant adverse effects and remedy or mitigate other adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</p> <ol style="list-style-type: none"> <li>1. <i>High Natural Character Areas (in CE-SCHED7); and</i></li> <li>2. <i>Significant Amenity Features (in NFL-SCHED6);</i></li> </ol>	<p>Support with amendment</p>	<p>Given the specific wording and intent of the NPSET, Transpower seeks a specific National Grid policy as sought above (NU-Pa).</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, NU-P3 does not give effect to the NPSET.</p>	<p>On the basis a specific National Grid policy is provided, Transpower is neutral on Policy NU-P3. However, should a specific policy not be provided Transpower seeks amendment to NU-P3 to give effect to the NPSET, including the 'seek to avoid' approach within Policy 8 of the NPSET.</p>
<p><b>NU-P4 Policy</b> Manage the effects of network utilities on the environment by:</p> <ol style="list-style-type: none"> <li>1. <i>avoiding, remedying or mitigating adverse effects on:</i> <ol style="list-style-type: none"> <li>a. <i>natural and physical resources;</i></li> </ol> </li> </ol>	<p>Support</p>	<p>Transpower supports Policy NU-P4. In particular it supports clauses 3, 4 and 5 as:</p> <ul style="list-style-type: none"> <li>- Clause 3 'encourages' undergrounding but also recognises that undergrounding is not always technically or commercially viable. It is</li> </ul>	<p>That Policy NU-P4 be retained.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>b. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance;</p> <p>c. the safe and efficient operation of other network utilities, including effects on electricity transmission and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks;</p> <p>d. the health, well-being and safety of people and communities, including from exposure to radio-frequency fields and electric and magnetic fields, and by posing a significant risk or exacerbating an existing risk of natural hazards;</p> <p>2. requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields and electric and magnetic fields;</p> <p>3. encouraging the progressive undergrounding of appropriate network utilities in new areas of development within the General Residential, Rural Lifestyle, Large Lot Residential and Settlement Zones and the systematic replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services within these areas, where this is technically and commercially viable;</p> <p>4. encouraging the co-siting and sharing of masts, facilities, utility corridors and other innovative solutions within residential environments and roads, where technically feasible and practicable; and</p> <p>5. encouraging the removal of redundant and superseded network utility facilities.</p>		<p>noted the policy has limited relevance to Transpower given existing National Grid assets are located outside the zones listed in the policy</p> <ul style="list-style-type: none"> <li>- Clause 4 recognises co-siting, but also recognises that co-siting and sharing is not always practicable. This is particularly relevant to the National Grid which has specific technical, operational and safety requirements which mean co-siting is often not appropriate.</li> <li>- Clause 5 'encourages' removal. It is noted the policy has limited relevance to Transpower given the removal of existing National Grid assets is regulated by the NESET.</li> </ul>	
<p><b>NU-P5 Policy</b> 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:</p> <ol style="list-style-type: none"> <li>1. managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility;</li> <li>2. managing new activities that are sensitive to noise adjoining the railway corridor, the national and regional road network, and within any defined noise contour to avoid reverse sensitivity effects;</li> <li>3. managing access to the railway corridor and to the national and regional road network;</li> <li>4. managing light spill and glare from activities on road users;</li> <li>5. managing land disturbance and activities in the vicinity of gas transmission pipelines;</li> <li>6. managing land use development (including sensitive activities), buildings, structures and subdivision near the National Grid, within the National Grid Yard, or around a designated National Grid substation;</li> <li>7. managing land disturbance, land use development and buildings to maintain safe electrical clearance distances under electricity distributions lines and support structures; and</li> <li>8. 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.</li> </ol>	<p>Support with amendment</p>	<p>Transpower is generally supportive of the policy in that it recognises the adverse effects of subdivision, land use and development on the operation, maintenance, upgrading and development of the National Grid. Such policy recognition largely gives effect to Policies 10 and 11 of the NPSET. NPSET Policy 10 and 11 are to be read together and reflect the National Grid corridor management approach supported by Transpower throughout NZ, that Policy 11 need not be limited solely to the management of sensitive activities</p> <p>Transpower 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 policy is also supported in that it recognises that in addition to reverse sensitivity effects, subdivision, land use and development can also compromise the National Grid through activities such as access to the National Grid assets being blocked, buildings and structures being located close to assets and causing risk and safety issues (such as flashovers) or the location of buildings and activities, including 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can limit Transpower's ability to maintain, upgrade and develop the National Grid.</p> <p>Earthworks (and vertical holes) are an activity which can also adversely affect and compromise the National Grid. Specific to the National Grid, earthworks have the potential to undermine transmission line structures, generate dust, reduce the safe 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. It is noted the policy references 'land disturbance' but not earthworks. Given the confined definition of 'land disturbance' in the PDP, Transpower seeks specific reference within the policy to earthworks. It is noted earthworks within the National Grid Yard are managed in the Earthworks chapter (as part of the General District-Wide Matters). However, while there are rules in the EW chapter, there is no specific policy support. Transpower therefore seeks specific policy recognition within NU-P5 (as well as the relocation of the Earthworks rules into the NU chapter – which is sought as a separate submission point).</p> <p>It is noted the policy includes reference to subdivision. While a separate subdivision section is provided in the PDP, Transpower supports reference to subdivision within policy NU-P5. However, for clarity amendment is sought to also include reference to the National Grid Subdivision Corridor as the corridor, not the yard, manages subdivision. The sought amendment to clause 6 to refer to "avoid reverse sensitivity effects and ensure the electricity transmission network is not</p>	<p>That Policy NU-P5 be amended as follows:</p> <p><b>NU-P5 Policy</b> 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:</p> <p>.....</p> <ol style="list-style-type: none"> <li>6. managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures <del>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;</del></li> <li>7. 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</li> <li>8. 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</li> </ol>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		<p>compromised” reflects the directive wording in policy 10 and 11 of the NPSET and clarifies it is these effects for which the activities are managed. As notified, clause 6 provides no reasoning unlike some of the other clauses (e.g. 1, 2, 7 and 8). The reference to ‘near the National Grid’ is deleted as the term is vague, uncertain and not required. Instead the policy relies on the defined National Grid Yard and National Grid Subdivision Corridor. The reference to “around a designated National Grid substation” is also Transpower is not seeking restrictions around its substation beyond the designation boundary itself.</p>	
<p><b>Rules Notes:</b>  <i>The following rules do not cover all network utility activities. Network utilities may be exempt from rules because they operate under designations or national environmental standards (e.g. the National Environmental Standards for Electricity Transmission Activities (2009) or the National Environmental Standards for Telecommunication Facilities (2008)). Reference should be made to the Ministry for the Environment website for the latest version of any relevant National Environmental Standards.</i></p> <p><i>Rules relating to subdivision and land development involving network utilities and other activities addressed in this chapter are contained in the SUB – Subdivision chapter of the District Plan.</i></p> <p><i>Rules relating to earthworks associated with activities addressed in this chapter are contained in the EW – Earthworks chapter of the District Plan.</i></p> <p><i>Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter.</i></p> <p><i>The construction, operation, maintenance, replacement, removal and upgrading of cycleways or walkways located within road reserve are subject to the rules of this chapter.</i></p> <p><i>Cycleways and walkways located outside road reserve fall within the definition of ‘Community Facilities’ and are subject to the relevant zone chapter rules.</i></p> <p><i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise).</i></p>	<p>Support with amendment</p>	<p>Transpower supports the reference to the National Environmental Standards for Electricity Transmission Activities (2009) within the Note as it highlights the standards to plan users.</p> <p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities section, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower’s preference is for a standalone set of provisions within the Network Utilities Chapter as it avoids duplication (in terms of the zone rules) and provides a coherent set of 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 Section.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. 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’. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities.</p> <p>It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities ‘chapter’.</p> <p>Specific to other matters addressed within the Note, Transpower supports the attempt at clarity regarding the relationship of various provisions in the plan. However, as noted in an earlier submission point, the cross references to other provisions are confusing. The reference to ONFL’s “Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter” , and “It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise)”, are confusing in that paragraph 4 to the introduction of the NU chapter provides that the operation, maintenance, upgrade and development of the National Grid is to be solely addressed in the NU chapter. The relationship between chapters is further confused by Method NU-M1 which includes reference to multiple other PDP chapters that apply to buildings and structures. An amendment is sought to Nu-M1 in other submission points.</p>	<p>Relocate the relevant National Grid provisions to the Network Utilities Section.</p> <p>And</p> <p>Insert the following into the Notes section:</p> <p>.....</p> <p><i><u>Rules relating to the operation, maintenance, upgrade and development of network utilities are addressed in the NU- Network Utilities chapter of the district plan and reference is not required to other chapters.</u></i></p> <p><i>Rules relating to subdivision and land development involving network utilities and other activities addressed in this chapter are contained in the SUB – Subdivision chapter of the District Plan.</i></p> <p><i>Rules relating to earthworks associated with activities addressed in this chapter are contained in the EW – Earthworks chapter of the District Plan.</i></p> <p><i><u>Rules relating to subdivision, land development and earthworks within the National Grid Yard and National Grid Subdivision Corridor are addressed in this chapter.</u></i></p> <p><i><u>Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter.</u></i></p> <p><i>The construction, operation, maintenance, replacement, removal and upgrading of cycleways or walkways located within road reserve are subject to the rules of this chapter.</i></p> <p><i>Cycleways and walkways located outside road reserve fall within the definition of ‘Community Facilities’ and are subject to the relevant zone chapter rules.</i></p> <p><i><del>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT – Light, and NOISE – Noise).</del></i></p>
<p><b>NU-R1 – PER</b>  <i>Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES)</i>          .....</p>	<p>Support</p>	<p>Specific to the National Grid, the NESETA provides for various works as permitted activities. Given the NESETA prevails over the district plan provisions, Rule NU-R1 is of limited relevance to the National Grid.</p> <p>Notwithstanding it is of limited relevance, the provision of a permitted activity rule for the ongoing operation, maintenance, replacement and removal of existing network utilities is supported as it recognises existing infrastructure and provides for its ongoing use. The permitted activity status reflects that provided within the NESETA. The default restricted discretionary (and non-complying in respect of radio frequency and electric magnetic fields) is also supported.</p>	<p>That Rule RU-R1 be retained.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>NU-R2 – PER</b> NU-R2 Minor upgrading of existing network utilities .....</p>	Support	<p>Specific to the National Grid, the NESETA provides for various works as permitted activities. Given the NESETA prevails over the district plan provisions, Rule NU-R2 is of limited relevance to the National Grid.</p> <p>Notwithstanding it is of limited relevance, the provision of a permitted activity rule for the minor upgrading of existing network utilities is supported as it recognises existing infrastructure and provides for its ongoing use. The permitted activity status reflects that provided within the NESETA. The default restricted discretionary (and non-complying in respect of radio frequency and electric magnetic fields) is also supported.</p>	That Rule RU-R2 be retained.
<p><b>NU-R3 - PER</b> Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) – within the National Grid Yard (other than for the reticulation and storage of water for irrigation purposes carried out by a network utility operator)</p> <p>Where the following activity conditions are met:</p> <p>a. Compliance with:</p> <p>i. NU-S1;</p> <p>ii. NU-S2;</p> <p>iii. NU-S3;</p> <p>iv. NU-S4;</p> <p>v. NU-S5; and</p> <p>vi. NU-S6.</p> <p>b. Compliance with:</p> <p>i. NU-S7 (Radio Frequency Fields); and</p> <p>ii. NU-S8 (Electric and Magnetic Fields).</p> <p>c. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.</p> <p>d. The activity is located a minimum distance of 12 metres from the outer visible foundation of any National Grid support structure and associated stay wire, unless it:</p> <p>i. is a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 ISSN 0114-0663; or</p> <p>ii. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and</p> <p>iii. does not permanently physically impede existing vehicular access to a National Grid support structure.</p> <p>2. Activity status where condition NU-R3(1)(a) is not achieved: RDIS Matters of discretion are restricted to:</p> <p>a. Functional and operational needs of, and benefits derived from, the network utility.</p> <p>b. Effects on public health and safety.</p> <p>c. Whether alternative locations, routes or other options are physically or technically practicable.</p> <p>d. The matters set out in policies NU-P1, NU-P2, NU-P3, NU-P4 and NU-P5.</p> <p>Notification: Non-notified</p> <p>3. Activity status where conditions NU-R3(1)(b), NU-R3(1)(c) and/or NU-R3(1)(d) is not achieved: NC</p>	Support with amendment	<p>Transpower supports the provision of a rule specific to network utilities within the National Grid Yard. The default non-complying activity status 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. In particular, a non-complying activity status:</p> <p>(a) Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2; and</p> <p>(b) Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10.</p> <p>While conditions a) and b) are not specific to the National Grid, Transpower is not opposed to their inclusion given clauses b. c. and d. apply to the National Grid.</p> <p>A minor amendment is sought to the numbering to make clause d. iii. a condition in its own right as opposed to being linked to the 12m setback from a support structure.</p>	<p>Amend Rule NU-R3 as follows:</p> <p>.....</p> <p>d. The activity is located a minimum distance of 12 metres from the outer visible foundation of any National Grid support structure and associated stay wire, unless it:</p> <p>i. is a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 ISSN 0114-0663; or</p> <p>ii. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and</p> <p>### e. does not permanently physically impede existing vehicular access to a National Grid support structure.</p>
<p><b>NU-R4 - PER</b> Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) not already provided for in NU-R3 (within the National Grid Yard)</p> <p>Where the following activity conditions are met: .....</p>	Support	<p>Transpower supports the provision of a rule specific to network utilities outside the National Grid Yard.</p> <p>The new rule would apply to new National Grid assets and while the permitted activity conditions are unlikely to be met, the default restricted discretionary activity status is supported.</p>	That Rule RU-R4 be retained.
<p><b>NU-R9 - DIS</b> Activities not otherwise provided for (that are not regulated by an NES)</p>	Support	<p>While it is not clear what activities Rule RU-R9 would apply to (given the default rule RU-R5) Transpower supports the discretionary rule.</p>	That Rule RU-R9 be retained.
<p><b>NU-S1 – NU-S9 Standards</b></p>	Support	<p>Transpower supports the provision of standards.</p>	That Standards NU-S1 – NU-S9 be retained.
<p><b>Assessment Matters</b> For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).</p>	Support	<p>Transpower supports the discretionary activity assessment matters and in particular clause 4.</p>	That NU-AM2 be retained.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><i>NU-AM2 Infringement of the setback standards</i></p> <ol style="list-style-type: none"> <li>1. <i>Whether the reduced setback of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and, where relevant, within the existing streetscape and road frontage.</i></li> <li>2. <i>Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.</i></li> <li>3. <i>Whether adverse effects on amenity values can be avoided, remedied, or mitigated through planting, fencing or other amenity treatment (including minimising visual impact through design and colours).</i></li> <li>4. <i>Whether adverse effects on public health and safety, including on the functioning and safe operation of roads, cycleways or walkways, the rail corridor, the National Grid, or lines used for the conveyance of electricity or telecommunications, can be avoided, remedied, or mitigated, and the outcome of any consultation with the relevant road controlling authority, KiwiRail or Transpower.</i></li> <li>5. <i>Whether the dimensions of the site or other physical characteristics of the site preclude reasonable compliance.</i></li> <li>6. <i>Whether there are any characteristics or technical requirements of the proposed use that will make compliance impracticable.</i></li> </ol>		<p>Notwithstanding Transpower's support for the matters, it is unclear when the assessment matters would apply given the default rule (NU-R3 and NU-R4) have a restricted discretionary activity status.</p>	
<p><b>Methods</b> Methods, other than the above rules, for implementing the policies: <i>NU-M1</i> Other Provisions in the District Plan Other sections of the District Plan contain additional rules and standards applying to buildings and structures:</p> <ol style="list-style-type: none"> <li>1. <i>HAZS – Hazardous Substances – controls the establishment of Major Hazardous Facilities in the District.</i></li> <li>2. <i>HH – Historical Heritage and HH-SCHED2 – Schedule of Historical Heritage Items – in areas containing these historical heritage sites.</i></li> <li>3. <i>SASM – Sites and Areas of Significance to Māori and SASM-SCHED3 – Schedule of Sites and Areas of Significance to Māori – in areas containing these sites of significance to tangata whenua.</i></li> <li>4. <i>TREE – Notable Trees and TREE-SCHED4 – Schedule of Notable Trees – in areas containing these notable trees.</i></li> <li>5. <i>ECO – Ecosystems and Indigenous Biodiversity and ECO-SCHED5 – Schedule of Significant Natural Areas – in areas containing these areas of significant indigenous vegetation or significant habitats of indigenous fauna.</i></li> <li>6. <i>NFL – Natural Features and Landscapes and NFL-SCHED6 – Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features – in areas containing these features.</i></li> <li>7. <i>CE – Coastal Environment and CE-SCHED7 – Schedule of Areas of High Natural Character – in areas containing identified high natural character in the coastal environment.</i></li> <li>8. <i>RE – Renewable Energy sets direction for activities that convert renewable energy into electricity.</i></li> <li>9. <i>SUB – Subdivision – manages the control of subdivision of sites for the purpose of accommodating network utilities throughout the District.</i></li> <li>10. <i>EW – Earthworks – controls the effects of earthworks associated with activities on the environment.</i></li> <li>11. <i>TRAN - Transport – relevant to activities requiring vehicular access, parking and loading.</i></li> <li>12. <i>CL - Contaminated Land – contains planning controls that direct the requirement for consent or otherwise for activities on contaminated or potentially contaminated land.</i></li> <li>13. <i>OSR – Open Space and Recreation – includes provisions relevant to establishment of cycleways and walkways located outside road reserve (being recreational activities that fall within the definition of 'community facilities').</i></li> <li>14. <i>LIGHT – Light – controls light emissions associated with activities.</i></li> <li>15. <i>NOISE – Noise – controls noise associated with activities.</i></li> <li>16. <i>Designations – allow land to be secured for public works or other projects and facilitate the establishment of what are often necessary or essential services. Legal roads within the District, including State Highways, are designated.</i></li> </ol>	<p>Oppose</p>	<p>While Transpower does not oppose the listing of other relevant sections of the plan, the list provided appears to cover all other chapters of the plan. This would appear contrary to the intent of the National Planning Standards Mandatory Directions for provisions relating to Infrastructure, as well as the Introduction to the NU chapter (specifically paragraph 4) which provides that a single set of rules are provided.</p> <p>In particular clause 6. is not clear in terms of how the ONFL provisions apply to Network Utilities in that the Note to the Rules section provides "Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter," This linkage is potentially confusing in that Method NU-M1 includes reference to the NFL chapter.</p> <p>Plan interpretation and application would benefit from clear linkages between the plan provisions. An amendment is sought in other submission points to clarify the above.</p>	<p>Delete NU-M1</p>
<p><b>NU-M2 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</b> These Regulations set out a national framework of permissions and consent requirements for activities on the existing high voltage electricity transmission network (the National Grid) that existed as of 14 January 2010. The regulations categorise activities that relate to the operation, maintenance, upgrading, relocation, or removal of existing transmission lines. The NES does not apply to electricity distribution lines - the lines that carry electricity from regional substations to electricity users, as these activities are covered under the District Plan provisions</p>	<p>Support</p>	<p>As outlined earlier in this submission relating to higher level policy documents, the district plan is required to give effect to the NPSET. Reference as a method is supported.</p>	<p>Retain Method NU-M2.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>NU-M4 Resource Management (National Policy Statement on Electricity Transmission) 2008</b> <i>This policy statement was promulgated in response to the need to operate, maintain, develop and upgrade the high voltage transmission network as a matter of national significance</i></p>	Support with amendment	Transpower supports reference to the NPSET. The NPSET provides specific provisions for maintenance and upgrade works to the National Grid which prevail over the district plan rules. An amendment is sought to correct the title.	Retain Method NU-M4, subject to amendment to the title as follows: <del>NU-M4 Resource Management (National Policy Statement on Electricity Transmission) 2008</del>
<p><b>NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001)</b> <i>The Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.</i></p>	Support with amendment	Transpower supports reference to NZECP34:2001. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. On this basis, reference as a method within the district plan is supported.	Retain Method NU-M6 subject to a minor reference correction: <del>NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001)</del> <i>The Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.</i>
<p><b>NU-M7 Electricity (Hazards from Trees) Regulations 2003</b> <i>The purpose of the Regulations is to protect the security of the supply of electricity, and the safety of the public, by prescribing distances from electrical conductors within which trees must not encroach, and sets rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors</i></p>	Support	Transpower supports reference to the Tree Regulations.	Retain Method NU-M7.
<p><b>Principal Reasons</b> <i>The principal reasons for adopting the policies and methods: The objectives and policies of this chapter reflect the importance of, and the contribution made by, network utilities to the health and safety and overall social and economic wellbeing of the District's community. It is therefore critical that the safe, effective, secure and efficient development, operation, maintenance and upgrading of these services are appropriately provided for, and that the local, regional and national benefits that derive from them are recognised.</i></p> <p><i>The development, operation, maintenance and upgrading of network utilities can adversely affect the environmental quality of the District, such as from noise and visual effects. In some cases, given the locational, functional, and operational constraints and requirements associated with some network utilities, it may not be entirely possible to avoid, remedy or mitigate all adverse effects associated with the development, operation, maintenance or upgrading of network utilities. In these circumstances, it needs to be recognised that some adverse effects on the surrounding environment may be unavoidable in order to achieve the benefits that network utilities provide.</i></p> <p><i>The Plan therefore makes provision for network utilities while managing their potential adverse effects through performance standards, recognising the local environmental characteristics in the District. Certain types of network utilities and larger-scale utilities can have a broad range of potential adverse effects, and therefore it is more appropriate that these proposals are assessed through either the resource consent or designation processes.</i></p> <p><i>The District Plan encourages the co-siting, or sharing of facilities or sites, as this supports efficiencies and reduces the need for infrastructure to be located elsewhere in the District, in turn, mitigating or avoiding adverse effects.</i></p> <p><i>Where incompatible activities have been allowed to establish too close to certain nationally or regionally significant network utilities (e.g. a dwelling allowed close to high voltage electricity transmission lines or an electricity substation), there is increased exposure to adverse effects such as the accumulation of dust on conductors, risk to structural integrity of pylons, restricted access for maintenance, and reduction in safety distances or public safety generally. Another example is locating a dwelling close to a wastewater treatment pond, which increases the potential for objectionable odour effects on the residents of the dwelling. To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate potential reverse sensitivity effects.</i></p>	Support with amendment	Transpower supports the reasoning provides as it reflects the policy and rule framework provided. However, a minor amendment is sought to include reference to ensuring the grid is not compromised.	Retain the Principal Reasons section but include a reference to ensuring the network utility is not compromised, as follows  ..... <i>To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate potential reverse sensitivity effects <u>and ensure the network utility is not compromised.</u></i>
<b>RE – Renewable Energy</b>			
<p><b>INTRODUCTION</b> ... <i>Renewable electricity generation is defined in the NPSREG as the generation of electricity from renewable energy. Renewable electricity generation activities are also defined as the construction, operation and maintenance of structures associated with renewable electricity generation. These include small and community-scale distributed renewable generation activities and the system required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</i> ....</p>	Support	Transpower supports recognition that renewable electricity generation will require connections to the National Grid.	That the Introduction be retained
<p><b>Methods</b> <i>Methods, other than the above rules, for implementing the policies:</i> <b>RE-M1 National Policy Statement on Electricity Transmission</b> <i>Sets out an objective and policies to enable the management of the effects of the electricity transmission network under the RMA. The objective and policies are intended to guide decision-makers in drafting plan</i></p>	Support with amendment	Transpower has no position on Methods RU-M1 and M2 but questions whether they are relevant to the Renewable energy chapter. A minor amendment is sought to RE-M1 to reflect the NPSET also manages effects on the transmission network.	Review the appropriateness of methods M1 and M2 within the Renewable energy chapter.  <b>And</b> Amend RE-M1 as follows: <i>Methods, other than the above rules, for implementing the policies:</i>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>rules, in making decisions on the notification of resource consents, in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.</p> <p><b>RE-M2 National Environmental Standard for Electricity Transmission</b> Provides national environmental standards for electricity transmission for the National Grid. The Regulations categorize activities that relate to the operation, maintenance, upgrading, relocation or removal of existing transmission lines.</p>			<p><b>RE-M1 National Policy Statement on Electricity Transmission</b> Sets out an objective and policies to enable the management of the effects <i>on and</i> of the electricity transmission network under the RMA. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of resource consents, in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.</p>
<b>Hazards and Risks</b>			
<b>NH – Natural Hazards</b>			
<b>General comment</b>	Support with amendment	<p>The application and relevance of the Natural Hazards provisions to Transpower's assets is not clear as:</p> <ul style="list-style-type: none"> <li>- The note to the rules section within the Network Utilities Chapter does not provide specific reference that the Natural Hazards chapter applies.</li> <li>- The rules within the Natural Hazards chapter all apply to "buildings" which do not capture the support structure and transmission line components of the National Grid assets (as these are defined as 'structures' within the proposed plan). However substations would be considered a 'building'.</li> </ul> <p>Clarity as to the relationship between the chapters and whether the Natural Hazard provisions apply would assist with plan interpretation.</p>	That clarity be provided as to whether the Natural Hazard provisions apply to NU structures would assist with plan interpretation.
<b>NH-P11 – Policy</b> <i>To allow network utilities to establish in natural hazard areas where there is a functional or operational need to locate there, and any significant risks to people, property and the environment are avoided or mitigated.</i>	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.	That Policy NH-P11 be retained.
<b>NH-R1 – R3</b>	Oppose in part	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 RDIS matters would ensure an adequate assessment of the risks and need.	That Rules R1-R3 be amended to remove a non-complying activity for the National Grid.
<b>Natural Environment Values</b>			
<b>ECO-Ecosystems and Indigenous Biodiversity</b>			
<b>General comment</b>	Support with amendment	As outlined in earlier submission points regarding relationship between chapters, the application and relevance of the ECO chapter to Network Utilities is not clear given the statements within the NU chapter regarding the stand-alone nature of the NU Provisions.	That clarity be provided as to whether the ECO provisions apply to NU would assist with plan interpretation.
<b>ECO-P1 Policy</b> <i>To identify Significant Natural Areas (being areas of significant indigenous vegetation and/or significant habitats of indigenous fauna) in the District where they meet one or more of the criteria below and describe these areas in ECO-SCHED5 and show their location on the Planning Maps.</i>	Support	Transpower supports the identification SNA's on the basis they assist plan users and provides clarity on the application of the PDP provisions that apply, particularly in context of the directive policy framework.	Retain Policy ECO-P1.
<b>ECO-P9 Policy</b> <i>To ensure that new nationally significant infrastructure is not located in areas of significant indigenous vegetation and/or significant habitats of indigenous fauna unless:</i>	Support	Notwithstanding Transpower's submission point seeking a specific new policy (NU-Pa) specific to the planning and development for the National Grid, Transpower supports policy ECO-P9 which recognises functional and operational needs. While not specific to the National Grid, the policy gives effect to Policy 3 of the NPSET that recognises the technical and operational requirements of the National Grid.	That Policy ECO-P9 be retained.
<p><i>a. There is a functional or operational need for the infrastructure to be in that particular location; and</i></p> <p><i>b. The route/site selection process has identified no practicable alternative locations.</i></p> <p><i>Where it is necessary to locate in these areas and where, despite the adoption of the best practicable option, there remain residual adverse effects, biodiversity offsetting measures should be proposed for the purpose of ensuring positive effects on the environment sufficient to offset any residual adverse effects of activities on indigenous biodiversity that will or may result from allowing the activity.</i></p>			
<b>ECO-R3 Rule</b> <b><i>Trimming or clearance of indigenous vegetation inside any area of significant indigenous vegetation and/or significant habitat of indigenous fauna (excluding natural wetlands)</i></b>	Support	<p>Notwithstanding the lack of clarity as to the relationship with the NU Chapter, Transpower supports Rule ECO-R3 and in particular clause b. i. and vi.</p> <p>The NESETA provides for trimming, felling or removal of any trees or vegetation as permitted activities subject to conditions. Resource consent is required if the tree or vegetation is in a "natural area" (a term defined in NESETA), or a rule prohibits or restricts the works. The provision of a permitted activity rule specific to the National Grid would reflect the permitted activity status within the NESETA and</p>	Retain Rule ECO-R3, and in particular clause b. i. and vi.
<p><i>All Indigenous Vegetation Species</i></p> <p><i>1. Activity Status: PER</i></p> <p><i>Where the following conditions are met:</i></p> <p><i>a. Limited to (whichever is the lesser):</i></p>			

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>..... OR</p> <p>b. Limited to trimming or clearance that is:</p> <p>i. required to achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003; or</p> <p>ii. required to remove deadwood, wind-thrown trees, or chronically diseased indigenous vegetation, where an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification has certified in writing that the indigenous vegetation is no longer independently viable or poses a risk; or</p> <p>iii. carried out in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1986 or Queen Elizabeth the Second National Trust Act 1977; or a Reserve Management Plan approved under the Reserves Act 1977; or</p> <p>iv. required for pest control undertaken by the Department of Conservation, Hawke's Bay Regional Council or Central Hawke's Bay District Council, and removal of material infected by an unwanted organism under the Biosecurity Act 1993; or</p> <p>v. necessary to avoid an imminent threat to the safety of persons or of damage to lawfully established buildings or structures; or</p> <p>vi. necessary to provide for the ongoing safe and efficient operation, maintenance and upgrading of telecommunication, radio communication and other network utilities, but excluding their expansion, where carried out by the respective network utility operator; or</p> <p>.....</p>		<p>enable routine vegetation trimming, required by the Electricity (Hazards from Trees) Regulations 2003, to be carried out in a timely and efficient manner.</p> <p>As such, while the NESETA regulates the operation, maintenance and upgrade of existing National Grid assets, Rule ECO-R3 is relevant to Transpower in so far as it relates to earthworks and vegetation works. While the NESETA activity status applies, R3 is relevant in terms of determining whether consent under Regulations 31 and 32, and 34 and 35 is triggered.</p> <p>By way of background in respect of vegetation works, it is important Transpower is able to trim, maintain or remove any vegetation that could affect the safe operation, maintenance or upgrade of its lines. Where tree branches/vegetation are close to or in contact with a transmission line they can create a flashover from the conductor to the tree which may cause:</p> <ul style="list-style-type: none"> <li>- A circuit fault that affects the operation and supply of the National Grid;</li> <li>- Injury or death to anyone who may be near the tree at the time of the fault; and</li> <li>- Damage to the tree, land or property.</li> </ul> <p>If a tree causes a flashover, dangerous voltages may arise in the tree itself or in the ground around the tree. These voltages have the potential to cause severe injury or death. Flashover to a tree where high voltages are involved can cause the tree to ignite and cause a wider fire hazard if the tree is near buildings. As such, it is vital that trees and all other vegetation are able to be trimmed, maintained or removed. Transpower is supportive of a permitted rule.</p>	
<p><b>ECO-R4 Rule</b> <i>Trimming or clearance of indigenous vegetation outside any area of significant indigenous vegetation and/or significant habitat of indigenous fauna</i></p>	Support	Notwithstanding the lack of clarity as to the relationship with the NU Chapter, Transpower supports Rule ECO-R4 on the basis the rule applies outside an area of significant indigenous vegetation and therefore the NESETA applies and the rule is therefore not relevant to Transpower.	Retain Rule ECO-R4.
<p><b>ECO-R6 Rule</b> <i>Trimming or clearance of indigenous vegetation which forms part of any natural wetland identified as a Significant Natural Area in ECO-SCHED5</i> <i>All Indigenous Vegetation Species</i> <i>1. Activity Status: NC</i></p>	Support with amendment	Notwithstanding the lack of clarity as to the relationship with the NU Chapter, and while of limited relevance to Transpower given the NESETA regulates trimming, felling or removal of any trees or vegetation within a SNA (natural area), Transpower has concerns as to the non-complying activity status for tree works associated with infrastructure and the relationship of the rule to the NESFM.	Amend Rule ECO-R6 to provide a discretionary activity status for tree trimming and clearance necessary to provide for the "ongoing safe and efficient operation, maintenance and upgrading of network utilities, but excluding their expansion, where carried out by the respective network utility operator".
<b>NFL-Natural Features and Landscapes</b>			
<p><b>General comment</b></p>	Support with amendment	As outlined in earlier submission points, the application and relevance of the NFL chapter to Network Utilities is not clear given the statements within the NU chapter regarding the stand-alone nature of the NU Provisions.	That clarity be provided as to whether the NFL provisions apply to NU would assist with plan interpretation.
<p><b>NFL-O1 Objective</b> <i>Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development.</i></p>	Support	Notwithstanding the lack of clarity between chapters, Transpower supports reference within the objective to 'inappropriate' as such reference is consistent with Section 6(b) of the RMA and recognises that not all development is to be avoided, rather the emphasis is on that which is inappropriate.	Retain Objective O1.
<p><b>Policies</b></p>	Support with amendment	On the basis a new policy NU-Pa (as sought in an earlier submission point) is provided relating to managing the effects of the National Grid electricity transmission network, Transpower is neutral on the policies within NFL. Should a policy not be provided, Transpower seeks relief consistent with the relief sought in its earlier submission point seeking a new policy NU-Pa.	Retain the NFL chapter policies. However, should a new policy NU-Pa (as sought in another submission point) not be provided, Transpower seeks relief consistent with that sought in its earlier submission point seeking a new policy NU-Pa.
<p><b>Rules</b> <b>Notes:</b> ..... <i>Rules relating to network utilities within the identified ONL and ONFs are contained in the NU – Network Utilities chapter of the District Plan. The rules in this chapter do not apply to network utilities.</i> ...</p>	Support	Transpower supports the clarification within the note that the rules in the NFL chapter do not apply to network utilities. Such clarification assists with plan interpretation and application.	Retain the Note to the Rules.
<b>Subdivision</b>			
<p><b>General submission point</b></p>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as it avoids duplication and provides a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		<p>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.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. 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'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Subdivision Chapter, Policy NU-P5<sup>3</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for subdivision within the National Grid Subdivision Corridor. However, the associated rules are provided within the Subdivision Chapter (Rule SUB-R1, R3-R7). This disconnection is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific subdivision rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	
<p><b>Introduction</b> <i>However, potential adverse effects of subdivision can include:</i></p> <p>...</p> <ul style="list-style-type: none"> <li>- reverse sensitivity, where new sensitive activities established through subdivision could potentially constrain existing uses nearby; and</li> <li>- increased risk of the operation of infrastructure being unreasonably compromised.</li> </ul>	Support	Notwithstanding the sought relocation of the subdivision provisions to the NU chapter, as highlighted in the higher order policy document (specifically the NPSET) a significant resource management issue in the 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 increased risk of infrastructure being compromised.	That the Introduction be retained.
<p><b>SUB-O4 Objective</b> <i>Reverse sensitivity effects of subdivision on existing lawfully established activities (including network utilities) are avoided where practicable, or mitigated where avoidance is not practicable.</i></p>	Support with amendment	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.	On the basis policy NU-P5 is amended as sought in its submission, Objective SUB-O4 be retained. Should Policy NU-P5 not be amended as sought, Transpower seeks amendment to Objective O4 to give effect to the NPSET.
<p><b>SUB-P17 Policy</b> <i>To ensure, to the extent practicable, subdivision design that takes into account the location of regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established activities, and ensures that future land use activities will not result in reverse sensitivity effects.</i></p>	Support with amendment	<p>As noted in earlier submission points, in order to give effect to the NPSET, Transpower seeks:</p> <ul style="list-style-type: none"> <li>- Provisions specific to the National Grid</li> <li>- The location of such provisions within the Network Utility chapter.</li> </ul> <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 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 managed. The approach sought by Transpower has been rolled out across New Zealand for the past nine years as plans have come up for review.</p> <p>Notwithstanding its location, Transpower supports Policy SUB-P17 (noting SUB-P18 addressed the issue of ensuring NU are not compromised).</p>	On the basis policy NU-P5 is amended as sought in its submission, Policy SUB-P17 be retained. Should Policy NU-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 to give effect to the NPSET. In particular specific reference to the National Grid Subdivision Corridor and removal of reference to the "to the extent practicable".
<p><b>SUB-P18 Policy</b> <i>To ensure, to the extent practicable, subdivision design that ensures that resulting land use activities (including building platforms) will not affect the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities.</i></p>	Support with amendment	<p>As noted in earlier submission points, in order to give effect to the NPSET, Transpower seeks:</p> <ul style="list-style-type: none"> <li>- Provisions specific to the National Grid</li> <li>- The location of such provisions within the Network Utility chapter.</li> </ul>	On the basis policy NU-P5 is amended as sought in its submission, Policy SUB-P17 be retained. Should Policy Nu-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 to give effect to the NPSET. In particular specific reference to the National Grid Subdivision Corridor and more directive wording that the National Grid is not compromised.

<sup>3</sup> **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:

.....

6. *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;*

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		<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 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 managed. The approach sought by Transpower has been rolled out across New Zealand for the past seven years as plans have come up for review.</p> <p>While Transpower supports SUB-P18, it is not explicitly directive to give effect to the NPSET.</p>	
<p><b>Principal Reasons</b></p> <p>....</p> <p><i>Inappropriately designed or located subdivision has potential to create reverse sensitivity effects, particularly when it provides for the establishment of sensitive activities (e.g. residential and lifestyle development) close to existing primary production activities, industrial activities, public works, network utility operations and renewable electricity generation sites. Such effects can significantly affect the ability of the existing activities to continue to operate (e.g. through complaints about noise and odour). Therefore, recognising and avoiding reverse sensitivity effects when planning for subdivision and land use development will provide for the continued efficient and effective operation of existing activities.</i></p>	Support	Although not specific to the National Grid, Transpower supports the Explanation and Reasons.	That the Principal Reasons be retained as drafted.
<p><b>SUB-R1 and R3-R7 Rules</b></p> <p>The rules are summarised below. In essence subdivision within the National Grid Subdivision Corridor is a controlled activity where the standards in SUB-S4 are complied with, and if not, defaulting to non-complying.</p> <p>R1 Subdivision not otherwise provided for – Controlled / Non-complying default R3 Subdivision for special purposes – Controlled / Non-complying default R4 Boundary adjustments – Controlled / Non-complying default R5 Subdivision to create a Lifestyle Site(s) (not in association with the creation of a Conservation Lot) – Controlled / Non-complying default R6 Subdivision to create Conservation Lots in association with the protection of:</p> <ol style="list-style-type: none"> <li>1. an area of significant indigenous vegetation and/or significant habitats of indigenous fauna (including sites listed in ECO-SCHED5).</li> <li>2. historic heritage items listed in HH-SCHED2.</li> <li>3. wāhi tapu, wāhi taonga or site or area of significance listed in SASM-SCHED3.</li> </ol> <p>– Controlled / Non-complying default</p> <p>R7 Subdivision to create a Lifestyle Site(s) in association with the creation of a Conservation Lot – Controlled / Non-complying default</p>	Support with amendment	<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 referenced in each of the relevant rules. While Transpower supports a specific standard relating to subdivision within the National Grid Subdivision Corridor, Transpower seeks a stand-alone 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 NU 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. Where the subdivision application is unable to demonstrate that this can be achieved, a non-complying activity status would apply to the subdivision (as proposed in the notified rules). A restricted discretionary activity status for subdivision that demonstrates 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. Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) on potential activities, 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).</p> <p>Transpower is opposed to the controlled activity status as a controlled activity status as provided in the proposed plan could not be declined and would not provide the ability for Transpower to be involved in the subdivision design process or ensure the subdivision does not compromise the ability to operate, maintain and upgrade the line, including the provision of access.</p> <p>The provision of a restricted discretionary activity status would be consistent with that secured across multiple district plan reviews across New Zealand.</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. In particular, a non-complying activity status:</p> <p>(a) Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2;</p>	<p>That a specific rule be provided for subdivision within the National Grid Subdivision Corridor as follows:</p> <p><u><a href="#">SUB-R3 Subdivision within the National Grid Subdivision Corridor All Zones</a></u> <u><a href="#">1. Activity Status: RDIS</a></u></p> <p><u><a href="#">Where the following condition is met:</a></u> <u><a href="#">a. Compliance with: SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor.</a></u></p> <p><u><a href="#">Matters of discretion are restricted to:</a></u> <u><a href="#">The matters in SUB-AM17</a></u></p> <p><u><a href="#">2. Activity status where compliance with SUB-S4(2) and SUB-S4(3) is not achieved: NC</a></u></p> <p><u><a href="#">Notification</a></u> <u><a href="#">An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</a></u></p> <p><u><a href="#">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.</a></u></p> <p><b>And</b>, the rule and SUB-S4 be located the NU Chapter and the above provisions within the rule be amended to refer to the NU chapter.</p> <p><b>And</b>, subject to a new rule being provided, Rules SUB-R1 and R3-R7 be amended to remove reference to the National Grid Subdivision Corridor.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		(b) Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10. (c) Recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.	
<p><b>SUB-S4 Building Platform</b> <i>Subdivision of land within the National Grid Subdivision Corridor</i></p> <ol style="list-style-type: none"> <li><i>The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities.</i></li> <li><i>The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</i></li> </ol>	Support with amendment	Notwithstanding its other submission points seeking the relocation of all the National Grid subdivision provisions within the NU Chapter, Transpower supports the standards in that they provide a clear framework for managing the effects of subdivision on the National Grid.	That SUB-S4 be retained but be relocated within the NU Chapter.
<p><b>SUB-AM17 Assessment Matters</b> <i>Subdivisions with building platforms and/or vehicle access within the National Grid Subdivision Corridor</i></p> <ol style="list-style-type: none"> <li><i>The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply within the safe separate distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.</i></li> <li><i>The ability for continued access to existing National Grid transmission lines for maintenance, inspections and upgrading.</i></li> <li><i>The ability to provide a complying building platform outside of the National Grid Yard.</i></li> <li><i>The extent to which the design and construction of the subdivision allows for activities to be set back from National Grid transmission lines to ensure adverse effects on and from the National Grid Transmission Network and on public safety are appropriately avoided, remedied or mitigated e.g. through the location of roads and reserves under the route of the line.</i></li> <li><i>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.</i></li> <li><i>The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines.</i></li> <li><i>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset.</i></li> <li><i>The outcome of any technical advice provided by Transpower.</i></li> <li><i>The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</i></li> </ol>	Support with amendment	Notwithstanding its other submission points seeking the relocation of all the National Grid subdivision provisions within the NU Chapter, Transpower supports the assessment matters as they clearly articulate the issues associated with subdivision within the National Grid Subdivision Corridor.	That SUB-AM17 be retained but be relocated within the NU Chapter.
<b>General District-Wide Matters</b>			
<b>CE – Coastal Environment</b>			
<b>General comment</b>	Support with amendment	The application and relevance of the Coastal Environment provisions to Transpower's assets is not clear as the note to the rules section within the CE Chapter does not provide specific reference that the Coastal Environment chapter applies. Clarity as to the relationship between the chapters and whether the CE provisions apply would assist with plan interpretation. There are also no specific rules in the CE chapter, rather reference is made to NH rules for the Tsunami Hazard Area. It is presumed there are no additional rules for network utility activities within the CE and therefore in relation to Network utilities, the NU provisions apply. Clarification within the chapters as to the relationship between chapters and provisions would assist.	That clarity be provided as to the relationship between chapters and whether the CE provisions apply to Network Utilities.
<p><b>CE-I1 Issue</b> <i>Preservation of the Natural Character of the Coastal Environment</i> <i>Explanation</i></p> <p>.... <i>Policy 6 of the NZCPS 2010 recognises that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals, are activities important to the well-being of people and communities, provided they do not compromise the other values of the coastal environment.</i> ....</p>	Support	Notwithstanding the lack of clarity as to the relationship between the CE and NU chapters, Transpower supports the reference to policy 6 of the NZCPS within the explanation to the issue, on the basis the explanation appropriately recognises the role and importance of infrastructure.	Retain the explanation accompanying the issue, specifically the reference to Policy 6 of the NZCPS.
<p><b>CE-O3 Objective</b> <i>Activities that have a functional need to locate in the coastal environment are provided for, where they do not compromise other significant values in the coastal environment.</i></p>	Support with amendment	Notwithstanding the lack of clarity as to the relationship between the CE and NU chapters, as drafted, Objective CE-O3 gives effect to the NZCPS. Transpower is not opposed to the objective, however notes that the Coastal Environment Chapter of the PDP is also required to give effect to the NPSET. Transpower seeks an amendment to the objective so that the National Grid (which is subject to	That CE-O3 be amended as follows:  <i>Activities that have a functional need (or operational need in respect of the National Grid) to locate in the coastal environment are provided for, <del>where they do not compromise other significant values in the coastal environment.</del></i>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		operational needs as opposed to strict functional needs in that the Grid is not dependent on the coastal resource but is constrained in its location given the linear nature of the network and that it is required to connect to generation to provide for the transmission of electricity) is recognised within the policy framework.	
<b>CE-P5 Policy</b> <i>To recognise that there are activities which have a functional need to locate and operate within the coastal environment, and provide for those activities in appropriate places.</i>	Support with amendment	As drafted, Policy CE-P5 gives effect to the NZCPS. Transpower is not opposed to the policy, however notes that the Coastal Environment Chapter of the PDP is also required to give effect to the NPSET. Transpower seeks an amendment to the policy so that the National Grid (which is subject to operational needs as opposed to strict functional needs in that the Grid is not dependent on the coastal resource but is constrained in its location given the linear nature of the network and that it is required to connect to generation to provide for the transmission of electricity) is recognised within the policy framework. Reference to operational need would give effect to the Policy 3 of the NPSET.	That CE-P5 be amended as follows:  <i>To recognise that there are activities which have a functional need <u>for operational need in respect of the National Grid</u> to locate and operate within the coastal environment, and provide for those activities in appropriate places.</i>
<b>EW- Earthworks</b>			
<b>General submission point</b>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as 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. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. 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'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Earthworks Chapter, Policy NU-P5<sup>4</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for earthworks (and vertical holes) within the National Grid Yard. However, the associated rules are provided within the Earthworks Chapter (Rule EW-R5). This disconnect is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific earthworks and vertical holes rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.
<b>EW-P1 Policy</b> <i>To avoid, remedy or mitigate the adverse effects of earthworks which:</i> 1. <i>create new or exacerbate existing natural hazards, particularly flood events, or cause adverse effects on natural coastal processes; and</i> 2. <i>result in adverse effects on the stability of land, structures or buildings.</i>	Support	Transpower supports the policy recognition of avoiding or mitigating the adverse effects of earthworks which result in adverse effects on the stability of land, structures or buildings, noting the policy is not specific to the National Grid.	Retain Policy EW-P1.
<b>EW-P7 Policy</b>	Support	Transpower supports the policy recognition of the need to control earthworks, noting the policy is not specific to the National Grid.	Retain Policy EW-P7.

<sup>4</sup> **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:*

.....

6. *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;*

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><i>To control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied or mitigated.</i></p>			
<p><b>EW-R5 Rule</b> Earthworks and vertical holes within the National Grid Yard 1. Activity Status: PER Where the following conditions are met:</p> <ol style="list-style-type: none"> <li>a. The earthworks must be no deeper (measured vertically) than 300mm within 12m of the outer visible edge of any National Grid support-structure foundation, except under the following circumstances: <ol style="list-style-type: none"> <li>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</li> <li>ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.</li> <li>iii. vertical holes not exceeding 500mm in diameter, provided they: <ul style="list-style-type: none"> <li>are more than 1.5m from the outer edge of the pole support structure or stay wire, or</li> <li>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.</li> </ul> </li> </ol> </li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>EW-S1;</li> <li>EW-S2;</li> <li>EW-S3;</li> <li>EW-S4;</li> <li>EW-S5;</li> <li>EW-S7;</li> <li>EW-S8; and</li> <li>EW-S9.</li> </ul> </li> <li>c. Compliance with EW-S6.</li> </ol> <p>2. Activity status where compliance with conditions EW-R5(1)(a) and/or EW-R5(1)(b) is not achieved: RDIS Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>a. EW-AM1.</li> <li>b. EW-AM2.</li> <li>c. EW-AM3.</li> <li>d. EW-AM4.</li> <li>e. EW-AM5.</li> <li>f. EW-AM6.</li> <li>g. EW-AM7.</li> <li>h. Impacts on the operation, maintenance, upgrading and development of the National Grid.</li> <li>i. The risk to the structural integrity of the affected National Grid support structure.</li> <li>j. Any impact on the ability of the National Grid owner (Transpower) to access the National Grid.</li> <li>k. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</li> <li>l. Technical advice provided by the National Grid owner (Transpower).</li> <li>m. Any effects on National Grid support structures including the creation of an unstable batter.</li> </ol> <p>3. Activity status where compliance with condition EW-R5(1)(c) is not achieved: NC</p>	<p>Support with amendment</p>	<p>Transpower supports the rule framework relating to earthworks.</p> <p>In terms of effects, earthworks can compromise the National Grid as they have the potential to:</p> <ul style="list-style-type: none"> <li>• undermine transmission line structures,</li> <li>• generate dust (comprising conductors and associated components such as insulators),</li> <li>• reduce the clearances between the ground and conductors (resulting in series health and safety issues and potential effects of conductors coming into contact with activities).</li> <li>• restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines;</li> </ul> <p>all of which may lead to potential support structure failure, health and safety issues and significant constraints on the operation of the line.</p> <p>Transpower supports the provision of permitted, restricted discretionary and non-complying activity rules.</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. A non-complying activity status gives a very strong policy signal that such earthworks are not appropriate as they can potentially compromise the security of supply, safety, and impinge on the ability of Transpower to maintain its assets. Whilst an application can still be made under the RMA, it would need to show the proposed activity would not be contrary to the objectives and policies of the District Plan or that its adverse effects on the environment would be no more than minor.</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>	<p>That Rule EW-R5 be retained</p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>EW-S6 Standard</b> Earthworks and Vertical Holes within the National Grid Yard All Zones</p> <ol style="list-style-type: none"> <li>1. The earthworks must not compromise the stability of a National Grid support structure, and</li> <li>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</li> <li>3. The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.</li> </ol>	<p>Support with amendment</p>	<p>Transpower support the provision of standards to support Rule EW-R5.</p> <p>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.</p>	<p>That Standard EW-S6 be retained.</p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>

### Part 3 Area Specific Matters

#### Zones

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>GRUZ – General Rural Zone</b>			
<b>General submission point</b>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as 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. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. 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'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Rural Zones Chapters, Policy NU-P5<sup>5</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for land activities within the National Grid Yard, as well as the policy framework for the operation and development of the grid itself. However, the associated zoning rules (and more importantly the National Grid Yard Standards) for land use activities within the National Grid Yard are provided within the General Rural and Rural Production Zone Chapters. The disconnect between the rules/standards and the policy framework is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific land use rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.
<b>GRUZ-P2 Policy</b> <i>To allow activities of a limited scale 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.</i>	Support with amendment	Transpower supports in part Policy GRUZ-P2 but seeks specific recognition of Network Utilities on the basis of the functional and operational needs of these activities which often require and are appropriate within, a rural environment. The reference to "of a limited scale" is opposed given the ambiguity around the terms. The reference to avoid, remedy or mitigate is also opposed as it has minimal benefit to the policy.	That Policy GRUZ-P2 be amended as follows:  <i>To allow activities <del>of a limited scale (such as Network Utilities)</del> 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, <del>where adverse effects are avoided, remedied or mitigated.</del></i>
<b>Rules</b> <i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.</i>	Support with amendment	An additional statement is sought within the Introduction to the rules section to refer to the Network Utilities chapter.	That the rules introductory statement be modified to refer to the Network Utility Chapter, as follows:  <i><u>Rules for activities within the National Grid Yard within the General Rural Zone are contained in the Network Utilities (NU) Chapter.</u></i>
<b>GRUZ-R1 – R3, R5 – R12, and R14 and R19 - Rules</b>  <b>GRUZ-R1 Residential activities - PER</b> <b>GRUZ-R2 Seasonal workers accommodation- PER</b> <b>GRUZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying) - PER</b> <b>GRUZ-R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas- PER</b>	Support with amendment	<p>Transpower supports the provision of a suite of rules and associated conditions specific to the National Grid.</p> <p>The proposed land use rules are specific to the National Grid Yard which is identified on the planning maps and further defined in the Definitions. The provision of a specific suite of provisions is consistent with the approach adopted across New Zealand and gives effect to the NPSET.</p>	<p>That Rules R1 – R3, R5 – R12, and R14 and R19 be deleted in so far as they refer to "Where the following conditions are met:</p> <ul style="list-style-type: none"> <li>- Compliance with GRUZ-S13 (setbacks from National Grid)"</li> </ul> <p>And the provisions be merged into a new rule as follows:  <i><u>NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</u></i></p>

<sup>5</sup> **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:

.....

6. *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;*

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>GRUZ-R6 Post-harvest facilities- PER</b>  <b>GRUZ-R7 Home businesses- PER</b>  <b>GRUZ-R8 Visitor accommodation- PER</b>  <b>GRUZ-R9 Commercial activities not otherwise provided for- PER</b>  <b>GRUZ-R10 Community facilities- PER</b>  <b>GRUZ-R11 Educational facilities- PER</b>  <b>GRUZ-R12 Emergency service activities- PER</b>  <b>GRUZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets) - CON</b></p> <p>Where the following conditions are met:  - Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p>Activity status where compliance with conditions GRUZ-R14(1)(a) and/or GRUZ-R14(1)(d) is not achieved:  NC</p> <p><b>GRUZ-R19 Industrial activities (other than post-harvest facilities) – NC</b></p>		<p>Within Rural zones, Transpower is satisfied that there are some activities that are appropriate within the National Grid Yard due to their nature and small scale, and because they will not compromise the operation, maintenance or any upgrade of the network itself. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 10-12m of the line (noting that they will still need to be set back 12m from National Grid support structures) on the basis they are unlikely to “build out” a line. The notified provisions allow for paddocks, fencing (as high as deer fences), landscaping and small sheds, and larger farm buildings in proximity to conductors not used for intensive farming purposes. Grazing, cropping, and car parking activities are not restricted. Conversely, examples of development that has severely restricted or blocked Transpower’s ability to effectively access its assets include dairy sheds, piggeries, poultry sheds and commercial hothouses and glass houses, as well as sensitive activities. These activities can cover an extensive area of land, and it may be expensive to disrupt or require these activities to be relocated while Transpower carries out work on its transmission assets.</p> <p>The sought rule framework reflects that proposed in the PDP 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 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 b. – g. to provide clarity that the activities listed are non-complying.</li> </ul>	<p>1. <u>Activity Status: PER</u>  <u>Where the following conditions are met:</u>  a. <u>Compliance with GRUZ-S13 (setbacks from National Grid).</u>  2. <u>Activity status where compliance with GRUZ-S13 (setbacks from National Grid) is not achieved: NC</u></p> <p><u>NU-xy National Grid Yard</u>  <u>Buildings, structures, and activities within the National Grid Yard – NC</u></p> <p>1. <u>Activity Status: NC Where:</u>  a. <u>Compliance is not achieved with GRUZ-S13 (setbacks from National Grid); or</u>  b. <u>The building or structure is not provided for within NU-xx.</u>  c. <u>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</u>  d. <u>Any change of use of an existing building to a sensitive land use within the National Grid Yard</u>  e. <u>The establishment of any new sensitive land use within the National Grid Yard</u>  f. <u>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</u>  g. <u>Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard</u></p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>GRUZ-S13 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <p>1. <i>Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</i></p> <p><i>All Buildings and Structures</i></p> <p>2. <i>Under the National Grid conductors (wires):</i>  a. <i>on all sites within any part of the National Grid Yard, all buildings and structures must:</i>  i. <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</i>  ii. <i>be a fence less than 2.5m high; or</i>  iii. <i>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</i>  iv. <i>be an uninhabited horticultural building or structure (but not a commercial greenhouse).</i>  b. <i>all buildings or structures permitted by a. must comply with the following conditions:</i>  i. <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.</i>  ii. <i>not permanently physically impede existing vehicular access to a National Grid support structure.</i></p> <p>3. <i>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:</i>  a. <i>a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</i>  b. <i>an artificial crop protection structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that:</i>  i. <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;</i></p>	<p>Support with amendment</p>	<p>Transpower largely supports the standards within GRUZ-S13. The standards reflect that sought across NZ and provide an appropriate framework for managing the effects of activities on the National Grid. Two minor amendments are sought as follows:</p> <ul style="list-style-type: none"> <li>- Removal of the requirement for a 25m setback from a National Grid substation. Given the rural location (and Rural Production zoning) of the substation with provides a 12ha minimum lots area and that there are no existing sensitive activities in proximity, the setback is not considered efficient or effective.</li> <li>- Amendment to Standard 3 to reflect the required 12m setback from support structures. An 8m setback from support structures is not considered sufficient to ensure the grid is not compromised.</li> </ul>	<p>That GRUZ-S13 be amended as follows:</p> <p><b>GRUZ-S13 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <p><del>1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del></p> <p><i>All Buildings and Structures</i></p> <p>2. <i>Under the National Grid conductors (wires):</i>  a. <i>on all sites within any part of the National Grid Yard, all buildings and structures must:</i>  i. <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</i>  ii. <i>be a fence less than 2.5m high; or</i>  iii. <i>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</i>  iv. <i>be an uninhabited horticultural building or structure (but not a commercial greenhouse).</i>  b. <i>all buildings or structures permitted by a. must comply with the following conditions:</i>  i. <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.</i>  ii. <i>not permanently physically impede existing vehicular access to a National Grid support structure.</i></p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>ii. is no more than 2.5m high; 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 iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or 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>			<p><b>3.</b> Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a <del>tower, 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 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: 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; ii. is no more than 2.5m high; 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 iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or 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> <p><b>And</b> Be relocated within the NU Chapter.</p>
<p><b>RPROZ –Rural Production Zone</b></p>			
<p><b>General submission point</b></p>	<p>Support with amendment</p>	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as 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. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. 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'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Rural Zones Chapters, Policy NU-P5<sup>6</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for land activities within the National Grid Yard, as well as the policy framework for the operation and development of the grid itself. However, the associated zoning rules (and more importantly the National Grid Yard Standards) for land use activities within the National Grid Yard are provided within the</p>	<p>Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.</p>

<sup>6</sup> **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:

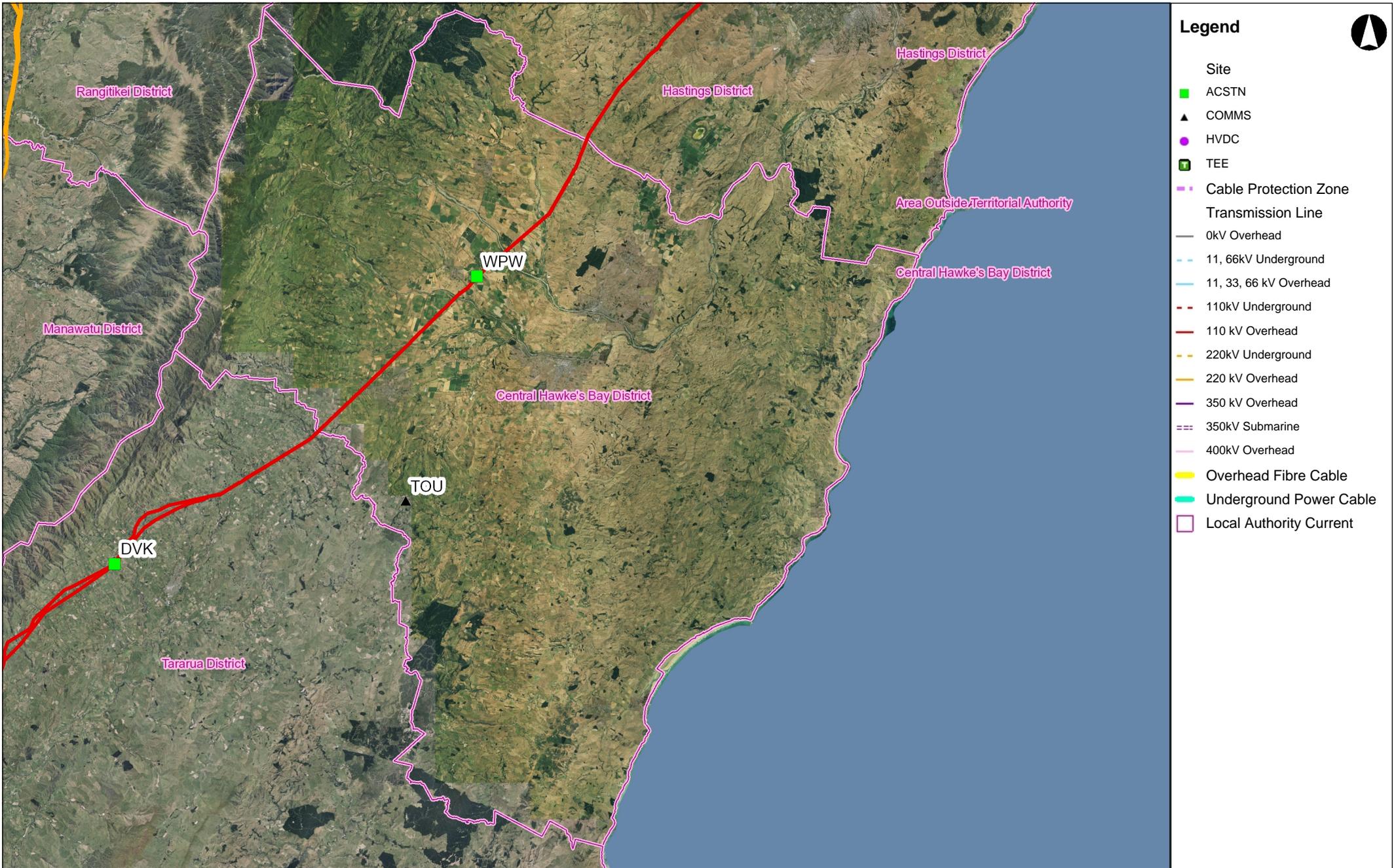
.....  
6. managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation,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

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		General Rural and Rural Production Zone Chapters. The disconnect between the rules/standards and the policy framework is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific land use rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.	
<p><b>RPROZ-P2 Policy</b> <i>To allow activities of a limited scale 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.</i></p>	Support with amendment	Transpower supports in part Policy RPROZ -P2 but seeks specific recognition of Network Utilities on the basis of the functional and operational needs of these activities which often require and are appropriate within, a rural environment. The reference to "of a limited scale" is opposed given the ambiguity around the terms. The reference is avoid, remedy or mitigate is also opposed as it has minimal benefit to the policy.	That Policy RPROZ -P2 be amended as follows:  <i>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.</i>
<p><b>Rules</b> <i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.</i></p>	Support with amendment	An additional statement is sought within the Introduction to the rules section to refer to the Network Utilities chapter.	That the rules introductory statement be modified to refer to the Network Utility Chapter, as follows:  <u><i>Rules for activities within the National Grid Yard within the Rural Production Zone are contained in the Network Utilities (NU) Chapter.</i></u>
<p><b>RPROZ -R1 – R3, R5 – R12, and R14 and R19 - Rules</b></p> <p><b>RPROZ -R1 Residential activities - PER</b> <b>RPROZ -R2 Seasonal workers accommodation- PER</b> <b>RPROZ -R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying) - PER</b> <b>RPROZ -R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas- PER</b> <b>RPROZ -R6 Post-harvest facilities- PER</b> <b>RPROZ -R7 Home businesses- PER</b> <b>RPROZ -R8 Visitor accommodation- PER</b> <b>RPROZ -R9 Commercial activities not otherwise provided for- PER</b> <b>RPROZ -R10 Community facilities- PER</b> <b>RPROZ -R11 Educational facilities- PER</b> <b>RPROZ -R12 Emergency service activities- PER</b> <b>RPROZ -R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets) - CON</b></p> <p>Where the following conditions are met: - Compliance with RPROZ S15 (setbacks from National Grid).</p> <p>Activity status where compliance with conditions RPROZ -R14 is not achieved: NC</p> <p><b>GRUZ-R19 Industrial activities (other than post-harvest facilities) – NC</b></p>	Support with amendment	<p>Transpower supports the provision of a suite of rules and associated conditions specific to the National Grid.</p> <p>The proposed land use rules are specific to the National Grid Yard which is identified on the planning maps and further defined in the Definitions. The inclusion of a specific suite of provisions is consistent with the approach adopted across New Zealand and gives effect to the NPSET.</p> <p>Within Rural zones, Transpower is satisfied that there are some activities that are appropriate within the National Grid Yard due to their nature and small scale, and because they will not compromise the operation, maintenance or any upgrade of the network itself. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 10-12m of the line (noting that they will still need to be set back 12m from National Grid support structures) on the basis they are unlikely to "build out" a line. The notified provisions allow for paddocks, fencing (as high as deer fences), landscaping and small sheds, and larger farm buildings in proximity to conductors not used for intensive farming purposes. Grazing, cropping, and car parking activities are not restricted. Conversely, examples of development that has severely restricted or blocked Transpower's ability to effectively access its assets include dairy sheds, piggeries, poultry sheds and commercial hothouses and glass houses, as well as sensitive activities. These activities can cover an extensive area of land, and it may be expensive to disrupt or require these activities to be relocated while Transpower carries out work on its transmission assets.</p> <p>The sought rule framework reflects that proposed in the PDP 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 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 b. – g. to provide clarity that the activities listed are non-complying.</li> </ul>	<p>That Rules R1 – R3, R5 – R12, and R14 and R19 be deleted in so far as they refer to "Where the following conditions are met: - Compliance with RPROZ -S15 (setbacks from National Grid)"</p> <p>And the provisions be merged into a new rule as follows:</p> <p><u><i>NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</i></u></p> <ol style="list-style-type: none"> <li>1. <u><i>Activity Status: PER</i></u> <u><i>Where the following conditions are met:</i></u> <ol style="list-style-type: none"> <li>b. <u><i>Compliance with RPROZ -S15 (setbacks from National Grid).</i></u></li> <li>2. <u><i>Activity status where compliance with RPROZ -S15 (setbacks from National Grid) is not achieved: NC</i></u></li> </ol> </li> </ol> <p><u><i>NU-xy National Grid Yard Buildings, structures, and activities within the National Grid Yard – NC</i></u></p> <ol style="list-style-type: none"> <li>1. <u><i>Activity Status: NC Where:</i></u> <ol style="list-style-type: none"> <li>a. <u><i>Compliance is not achieved with RPROZ -S15 (setbacks from National Grid);</i></u> <u><i>or</i></u></li> <li>b. <u><i>The building or structure is not provided for within NU-xx.</i></u></li> <li>c. <u><i>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</i></u></li> <li>d. <u><i>Any change of use of an existing building to a sensitive land use within the National Grid Yard</i></u></li> <li>e. <u><i>The establishment of any new sensitive land use within the National Grid Yard</i></u></li> <li>f. <u><i>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</i></u></li> <li>g. <u><i>Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard</i></u></li> </ol> </li> </ol> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>RPROZ -S15 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <ol style="list-style-type: none"> <li>1. <i>Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</i></li> </ol> <p>All Buildings and Structures</p> <ol style="list-style-type: none"> <li>2. <i>Under the National Grid conductors (wires):</i></li> </ol>	Support with amendment	Transpower largely supports the standards within RPROZ -S15. The standards reflect that sought across NZ and provide an appropriate framework for managing the effects of activities on the National Grid. Two minor amendments are sought as follows: - Removal of the requirement for a 25m setback from a National Grid substation. Given the rural location (and Rural Production zoning) of the substation with provides a 12ha minimum lots area and that there are no	That RPROZ -S15 be amended as follows:  <b><del>RPROZ -S15 Setback from National Grid Yard and National Grid Substation Sensitive Activities</del></b> <b><del>1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del></b>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought																
<p>c. 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>d. 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>d. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>e. an artificial crop protection structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> <li>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;</li> <li>ii. is no more than 2.5m high;</li> <li>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</li> <li>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</li> </ul> </li> <li>f. 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.</li> </ul>		<p>existing sensitive activities in proximity, the setback is not considered efficient or effective.</p> <ul style="list-style-type: none"> <li>- Amendment to Standard 3 to reflect the required 12m setback from support structures. An 8m setback from support structures is not considered sufficient to ensure the grid is not compromised.</li> </ul>	<p>All Buildings and Structures</p> <p>2. Under the National Grid conductors (wires):</p> <ul style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must: <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> </li> <li>b. all buildings or structures permitted by a. must comply with the following conditions: <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> </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 <del>tower, or 8m from a pole, forming part of a</del> 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 protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> <li>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;</li> <li>ii. is no more than 2.5m high;</li> <li>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</li> <li>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</li> </ul> </li> <li>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.</li> </ul> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>																
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<p><b>TPR – Transpower New Zealand Ltd</b></p>																			
<table border="1"> <thead> <tr> <th colspan="2">Waipawa Substation</th> </tr> </thead> <tbody> <tr> <td>Designation unique identifier</td> <td>TPR-1</td> </tr> <tr> <td>Designation purpose</td> <td>Electricity substation</td> </tr> <tr> <td>Site identifier</td> <td>1304 Ongaonga Road, Ongaonga (Map 16) Section 1 Survey Office Plan 4136 Lot 1 Deposited Plan 27676</td> </tr> <tr> <td>Lapse date</td> <td>Given effect</td> </tr> <tr> <td>Designation hierarchy under section 177 of the Resource Management Act</td> <td>Primary</td> </tr> <tr> <td>Conditions</td> <td>No</td> </tr> <tr> <td>Additional information</td> <td>Rollover, formerly designation #172.</td> </tr> </tbody> </table>	Waipawa Substation		Designation unique identifier	TPR-1	Designation purpose	Electricity substation	Site identifier	1304 Ongaonga Road, Ongaonga (Map 16) Section 1 Survey Office Plan 4136 Lot 1 Deposited Plan 27676	Lapse date	Given effect	Designation hierarchy under section 177 of the Resource Management Act	Primary	Conditions	No	Additional information	Rollover, formerly designation #172.	<p>Support</p>	<p>Transpower support the rollover designation for the Electricity Substation on Onga Onga Road. The substation forms part of the National Grid and is essential infrastructure.</p>	<p>That designation TPR be retained.</p>
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Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>Planning Maps</b>			
<i>Planning Maps – National Grid Corridor</i>	Support with amendment	Transpower supports the identification of the National Grid on the planning maps as it provides clear guidance for plan users as to the location of the National Grid and will assist in plan interpretation. However, it is recommended the map legend and maps be amended to refer to “National Grid Line” as opposed to “National Grid Corridor” as shown on the legend, as the term “National Grid Corridor” has the potential for confusion with the National Grid Subdivision Corridor, which is defined in the PDP. The term “National Grid Line” would also reflect the wording and planning map annotation in the National Planning Standards.	Amend the notation on the planning maps as follows: <i>National Grid <del>Corridor</del> Transmission Line</i>

***Appendix 1: Map of Transpower Assets in the Central Hawke's Bay District***



***Appendix 2: National Policy Statement on Electricity Transmission 2008***

## NATIONAL POLICY STATEMENT

# on Electricity Transmission

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

### CONTENTS

Preamble

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

## Preamble

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

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

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

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

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

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

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

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

## 1. Title

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

## 2. Commencement

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

## 3. Interpretation

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

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

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

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

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

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

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

## 4. Matter of national significance

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

## 5. Objective

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

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

## 6. Recognition of the national benefits of transmission

### POLICY 1

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

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

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

## 7. Managing the environmental effects of transmission

### POLICY 2

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

### POLICY 3

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

### POLICY 4

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

### POLICY 5

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

#### POLICY 6

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

#### POLICY 7

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

#### POLICY 8

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

#### POLICY 9

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

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

#### POLICY 10

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

#### POLICY 11

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

## 9. Maps

#### POLICY 12

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

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

#### POLICY 13

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

#### POLICY 14

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

#### Explanatory note

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

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

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