

Submission by Transpower New Zealand Ltd on Proposed Plan Change 65 – Outstanding Natural Features and Landscapes

Manawatu District Plan

March 2020

Keeping the energy flowing



TRANSPOWER



Form 5
Submission on a Publicly Notified Plan Change under Clause 6 of the
First Schedule to the Resource Management Act 1991

Manawatu District Plan - Proposed Plan Change 65
Outstanding Natural Features and Landscapes

To: Principal Planner
Manawatu District Council
Private Bag 10 001, Feilding 4743
135 Manchester Street, Feilding 4702
email: districtplanreview@mdc.govt.nz

Submitter Details:

Full name of submitter Transpower New Zealand Ltd
Address for service Boffa Miskell Ltd
Attn: Sherilyn Hinton
PO Box 11340
Wellington 6142
Phone (day) 04 385 5795 or 027 224 4197
Email sherilyn.hinton@boffamiskell.co.nz

This is a submission to the Manawatu District Plan - Proposed Plan Change 65: Outstanding Natural Features and Landscapes

Transpower could not gain advantage in trade competition through this submission

The specific provisions of the proposed plan that the submission relates to are:

Refer attached submission which outlines the specific provisions, sought amendments, reasons and decisions sought.

Transpower NZ Ltd wishes to be heard in support of its submission.



Signature of submitter

[or person authorised to sign on behalf of the submitter.]

Date: 4 March 2020

SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON PROPOSED PLAN CHANGE 65 – OUTSTANDING NATURAL FEATURES AND LANDSCAPES

Overview

The following provides specific submission points from Transpower New Zealand Limited (“**Transpower**”) on Proposed Plan Change 65 (“**PC65**”).

This submission has been prepared to assist the Council in ensuring the planning framework under the PC65 appropriately recognises and provides for the National Grid. Specifically, from Transpower’s perspective, the provisions of the PC65 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.

The purpose of PC65 (as stated in the accompanying section 32 report) is to protect the Manawatū’s Outstanding Natural Features and Landscapes (ONFLs) and Significant Amenity Features (SAFs) from inappropriate subdivision, use, and development and to maintain or enhance the amenity values and environment within these areas. PC65 recognises that the current provisions of the Operative District Plan are not clear, are not consistent with the direction of Horizons Regional Council’s One Plan, and the areas are not spatially defined. PC65 therefore seeks to amend the District Plan to provide clearer direction for how ONFLs and SAFs are to be managed. A new ‘Natural Features and Landscapes’ chapter is proposed to be included into the District Plan with specific objectives, policies and rules, and including supporting appendices and new plan maps which spatially define two ONFLs, 13 ONFs and three SAFs. In addition, amendments to existing District Plan chapters ‘3A Network Utilities’ and ‘3D Earthworks’ are proposed, and two new definitions for ‘functional need’ and ‘operational need’ are proposed to be added to existing Chapter 2.

In general, the approach adopted in PC65 is broadly supported by Transpower; specifically, the provision of a framework of objectives, policies and rules that recognises and provides for the National Grid, and including the inclusion of new definitions for ‘functional need’ and ‘operational need’ consistent with the National Planning Standards. Transpower also supports the inclusion of a National Grid specific policy to provide for new activities within natural features and landscapes. However, Transpower considers several amendments are required to refine the proposed provisions and to better reflect the direction and scope of the NPSET.

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 166 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 2019 to July 2022, 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.

Manawatu District Transmission Assets

Transpower's transmission line assets within or traversing the Manawatu District comprise:

- Bunnythorpe-Haywards A single circuit on steel towers (220kV)
- Bunnythorpe-Haywards B single circuit on steel towers (220kV)
- Bunnythorpe-Ongarue A single circuit on steel towers (110kV)
- Bunnythorpe-Mangahao A single circuit on poles (110kV)
- Bunnythorpe-Mangahao B single circuit on poles (110kV)
- Bunnythorpe-Woodville B single circuit on steel towers (110kV)
- Bunnythorpe-Wilton A double circuit on steel towers (220kV)
- Bunnythorpe-Wanganui B single circuit on steel towers (110kV)
- Bunnythorpe-Whakamaru A single circuit on steel towers (220kV)
- Bunnythorpe-Whakamaru B single circuit on steel towers (220kV)
- Bunnythorpe-Wairakei A single circuit on steel towers (220kV)
- Brunswick-Bunnythorpe A single circuit on steel towers (220kV).

Attached as **Appendix 1** is a map of Transpower's assets in the Manawatu District.

In context of the identified ONFLs on the planning maps accompanying PC65 (refer Appendix 3 of the s32 report), the Bunnythorpe-Ongarue A single circuit transmission line on steel towers (110kV) traverses ONFL3 – Outstanding Natural Feature – Rangitikei River.

Transpower's particular points of interest in PC65

Transpower understands that PC65 has resulted from appeals made on Proposed Plan Change 55 to the Manawatu District Plan.

The section 32 report for PC65 states that in addition to a new 'Natural Features and Landscapes' chapter, changes to existing provisions in District Wide Rules chapters 3A Network Utilities and 3D Earthworks are proposed to address appeals raised under PC55 and to ensure consistency with the National Planning Standards.

Proposed Plan Change 55 ("PC55") related to 'Chapter 3 District Plan Rules' of the District Plan. The primary purpose of PC55 was to review the rule provisions that applied District Wide, specifically the following areas: Network Utilities, Transport, Noise, Earthworks, Signs, Temporary Activities and Relocated Buildings.

Transpower appealed a number of the PC55 provisions related to Network Utilities, as follows:

- Section 3A.3, Policy 3.2
- Standard 3A.4.2(l)
- Rule 3A.4.3
- Rules 3A.4.4 and 3A.4.5.

The above proposed provisions are on hold pending the consideration of PC65 through the statutory RMA process.

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 environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. 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 it¹.

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.

Specific Submission Points

The focus of Transpower's submission points are on the provisions within PC65 that relate to network utilities and specifically to the National Grid.

Transpower is broadly supportive of proposed PC65. In particular Transpower supports:

- The inclusion of network utility provisions related to ONFL's within Chapter 3A 'Network Utilities' and Chapter 3D 'Earthworks'

¹ 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]

- The increased clarity as to the relationship between the chapters and therefore the relevant objectives, policies and rules that would apply to network utilities and specifically the National Grid
- The provision of a National Grid specific 'seek to avoid' policy within Chapter 3A (being Chapter 3A.3 proposed Policy 3.6) subject to the further refinements sought as part of this submission
- The discretionary activity status for new transmission electricity lines and earthworks within an identified ONF or SAF in proposed Rules 3A.4.5 (Network Utilities) and 3D.4.4 (Earthworks).

As a general comment, Transpower also supports the clear identification of ONFL's and SAFs as proposed by PC65.

However, some amendments are sought by Transpower in this submission to ensure PC65 gives effect to the NPSET, particularly in relation to the policy and rule framework for new network utilities within ONLs (and specifically new National Grid infrastructure).

Specific submission points are included in the table below and for the avoidance of doubt, include any consequential relief to the specific relief sought. Amendments sought through this submission are shown as red underlined or ~~strikethrough~~ text.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
Chapter 2 - Definitions			
<p>New definition - Functional need Insert new definition for functional need as follows: <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	Section 3 of the s32 report for PC65 states that PC65 involves a series of amendments including the addition of two new definitions to existing Chapter 2. Transpower supports the addition of the definition for the term ‘Functional need’ as it supports and assists interpretation of the policy and rule provisions (particularly those in Chapter 3A – Network Utilities) and it is consistent with the definition provided in the National Planning Standards.	Retain the definition of ‘Functional need’ as notified.
<p>New definition - Operational need Insert new definition for operational need as follows: <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></p>	Support	Section 3 of the s32 report for PC65 states that PC65 involves a series of amendments including the addition of two new definitions to existing Chapter 2. Transpower supports the addition of the definition for the term ‘Operational need’ as it supports and assists interpretation of the policy and rule provisions (particularly those in Chapter 3A – Network Utilities) and it is consistent with the definition provided in the National Planning Standards.	Retain the definition of ‘Operational need’ as notified.
New Chapter: NFL – Natural Features and Landscapes			
<p>Introduction [...] <i>This chapter must also be read alongside Chapter 3A Network Utilities and Chapter 3D Earthworks. For activities involving Network Utilities within Outstanding Natural Features and Landscapes and Significant Amenity Features the more specific provisions in Chapter 3A Network Utilities apply. Earthworks within Outstanding Natural Features and Landscapes are provided for in Chapter 3D Earthworks.</i></p>	Support with amendment	<p>Section 4.9.3 of the s32 report for PC65 identifies that as a result of PC55 (District Wide Rules), there is an intention that Chapter 3A (Network Utilities) will be standalone at the completion of the Sectional District Plan Review. The changes to Chapter 3A outlined by PC65 are intended to be a step towards this, in relation to ONFLs and SAFs.</p> <p>A specific statement is proposed in the introduction to the new NFL - Natural Features and Landscapes chapter that clarifies for activities involving network utilities within ONFLs and SALs it is the more specific provisions in Chapter 3A (Network Utilities) that apply, and provisions for earthworks within ONFLs are provided in Chapter 3D (Earthworks).</p> <p>Transpower supports the approach of developing a standalone chapter that addresses network utilities as it provides clarity and certainty for plan users in terms of the objective, policy and rules provisions that apply to network utilities activities (including the National Grid), including where such activities are located with ONFLs and SAFs. This approach is also considered to provide consistency with the National Planning Standards. Transpower also supports the statement in the introduction to the NFL -</p>	<p>Retain the statement in the introduction to the Natural Features and Landscapes chapter that clarifies for network utilities it is the more specific provisions in Chapter 3A that apply, and amend the wording of the last part of the statement relating to earthworks as follows:</p> <p><i>This chapter must also be read alongside Chapter 3A Network Utilities and Chapter 3D Earthworks. For activities involving Network Utilities within Outstanding Natural Features and Landscapes and Significant Amenity Features the more specific provisions in Chapter 3A Network Utilities apply. Earthworks within Outstanding Natural Features and Landscapes <u>and Significant Amenity Features</u> are provided for in Chapter 3D Earthworks.</i></p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		Natural Features and Landscapes chapter that clarifies which rule provisions apply to Network Utilities and earthworks activities within ONFLs and SAFs. Transpower requests a minor amendment to the wording of this statement to ensure clarity for plan users.	
Objectives NFL-01 to NFL-04	Neutral	Transpower generally supports the proposed Natural Features and Landscapes objectives on the basis that there are specific objectives provided for Network Utilities in Chapter 3A of the plan (as amended by PC65).	Retain NFL objectives
Policies NFL-P1 to NFL-P19	Neutral	Transpower generally supports the proposed Natural Features and Landscapes policies on the basis that there are specific policies provided for Network Utilities in Chapter 3A of the plan (as amended by PC65).	Retain NFL policies
Rules			
Introductory statement under Rules heading: <i>Unless otherwise stated, rules in this chapter apply to all activities within the areas identified as being Outstanding Natural Features and Landscapes, and Significant Amenity Features as spatially defined in Appendix NFL-APP1 and NFL-APP2. For activities involving Network Utilities within Outstanding Natural Features and Landscapes the more specific provisions in Chapter 3A Network Utilities apply. Earthworks within Outstanding Natural Features and Landscapes are provided for in Chapter 3D Earthworks.</i>	Support with amendment	Transpower supports the statement under the 'Rules' heading that clarifies which rule provisions apply to Network Utilities and earthworks activities within ONFLs and SAFs. Transpower requests a minor amendment to the wording of this statement to ensure clarity for plan users.	Amend the last part of the introductory statement under the 'Rules' heading as follows: <i>Unless otherwise stated, rules in this chapter apply to all activities within the areas identified as being Outstanding Natural Features and Landscapes, and Significant Amenity Features as spatially defined in Appendix NFL-APP1 and NFL-APP2. For activities involving Network Utilities within Outstanding Natural Features and Landscapes the more specific provisions in Chapter 3A Network Utilities apply. Earthworks within Outstanding Natural Features and Landscapes <u>and Significant Amenity Features</u> are provided for in Chapter 3D Earthworks.</i>
Chapter 3A - Network Utilities			
3A.3 Objectives and Policies			
Objective 1 [...] Policies 1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located, <u>including those areas</u>	Support with amendment	Policy 1.5 has been amended to include specific reference to "those areas identified as Significant Amenity Features in NFL-APP2" in order to (as detailed in the s32 report) clearly provide for SAFs in the policy framework and to recognise the differences in their characteristics and values compared with ONFLs. While the proposed reference to SAF's in Policy 1.5 is not opposed, Transpower is concerned how the policy will be applied given the directive	Amend Policy 1.5 as follows: 1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located, <u>including those areas identified as Significant Amenity Features in NFL-APP2, <u>acknowledging the benefits, and locational,</u></u>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<u>identified as Significant Amenity Features in NFL-APP2.</u>		nature of the word 'ensure' and the subjective nature of the wording "in a manner sensitive to....". Given Policy 1.5 is the only policy specific to Network Utilities within SAF's, Transpower seeks amendment to the proposed wording to reference the benefits and operational constraints of the National Grid to ensure the NPSET is given effect.	<u>technical and operational requirements of the National Grid.</u>
Objective 3 <u>The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 and historic heritage are protected from the inappropriate use and development of network utilities. To protect the values that are important to significant heritage and landscape areas from the inappropriate development of network utilities.</u>	Support	<p>The s32 report states that Objective 3 has been amended to provide consistency with the proposed Natural Features and Landscapes chapter and with the National Planning Standards, and states that the overall intent of Objective 3 has not changed since it was introduced under PC55.</p> <p>Transpower notes that Objective 3 is one of the provisions currently on hold pending the review of provisions under PC65. The s32 report also states that this change is considered to provide plan users with greater certainty (an outcome sought from the appeal on PC55).</p> <p>Objective 3 has been reworded to clarify that it specifically relates to the protection of the characteristics and values of the ONFLs identified in NFL-APP1 (and historic heritage) from the inappropriate use and development of network utilities. Transpower supports the reference to "inappropriate use and development" and notes that this provides consistency with the proposed objectives in the new Natural Features and Landscapes chapter, particularly NFL-O2.</p>	Retain Objective 3 as amended.
Policies			
<u>3.1 To protect the characteristics and values of Outstanding Natural Features and Landscapes scheduled in NFL-APP1 or a site of historic heritage scheduled in Appendix 1E (Buildings and Objects with Heritage Value) and 1F (Sites with Heritage Value) from the effects of network utilities.</u>	Neutral	Transpower supports Policy 3.1 on the basis of the provision of a National Grid specific policy (i.e. Policy 3.6) that is amended to be consistent with the relief sought by Transpower.	Retain Policy 3.1 on the basis of the provision of a National Grid specific policy (Policy 3.6) in Chapter 3A that is amended to be consistent with the relief sought by Transpower.
<u>3.2 To avoid significant adverse cumulative effects from new network utilities on the characteristics and values of Outstanding Natural Features and Landscapes.</u>	Neutral	Transpower supports the inclusion of the word "significant" in Policy 3.2 in the context of adverse cumulative effects.	Retain the reference to "significant" within Policy 3.2 in relation to adverse cumulative effects.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><u>3.3 Except as required by Policy 3.2, avoid adverse effects as far as reasonably practicable and where avoidance is not reasonably practicable, remedy or mitigate adverse effects on the characteristics and values identified in NFL-APP1.</u></p> <p><u>For the purpose of policy 3.3, reasonably practicable means where:</u></p> <p><u>a. there is no reasonably practicable alternative location, recognising the functional and operational need of the network utility; and</u></p> <p><u>b. the infrastructure is of national or regional importance; and</u></p> <p><u>c. the development does not have a significant adverse effect on the characteristics and values identified in Appendix NFL-APP1, Appendix 1E (Buildings and Objects with Heritage Value) or 1F (Sites with Heritage Value).</u></p>	Neutral	<p>Transpower supports Policy 3.3 on the basis of the provision of a National Grid specific policy (Policy 3.6) that gives effect to the NPSET.</p> <p>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).</p> <p>As a linear network, the National Grid has functional, operational and/or locational needs to be located in particular areas where adverse effects are unavoidable, and it may not be possible to substantially protect the values of the area. These constraints, together with the benefits the infrastructure provides to the district and beyond (i.e. potentially rendering them not ‘inappropriate’), need to be acknowledged and provided for. Transpower supports the recognition of the functional and operational needs of network utilities (as required by Policy 3 of the NPSET) that is provided in clause ‘a’ within the context of “reasonably practicable”.</p>	Retain Policy 3.3 on the basis of the provision of a National Grid specific policy (Policy 3.6) consistent with the relief sought by Transpower.
<p><u>3.4 To provide for the operation, maintenance, replacement or minor upgrading of existing network utilities located within or adjacent to Outstanding Natural Features and Landscapes.</u></p>	Support	<p>Transpower supports Policy 3.4 as it recognises and provides for the operation, maintenance, replacement or minor upgrading of existing network utilities located within or adjacent to Outstanding Natural Features and Landscapes. The ongoing maintenance and replacement of such infrastructure (including the National Grid) is important for the wellbeing of the community. While the policy is not specific to the National Grid, it gives effect to Policies 2 and 5 of the NPSET.</p>	Retain Policy 3.4 as notified.
<p><u>3.5 To avoid inappropriate use and development within Outstanding Natural Landscapes which adversely affects the identified values and characteristics of the areas, including:</u></p> <p><u>a. The extensive unbuilt coastal strip along the Manawātū Coastline Outstanding Natural Landscape.</u></p>	Neutral	<p>Transpower generally supports Policy 3.5 on the basis of the separate provision of a National Grid specific policy (i.e. Policy 3.6) that seeks to give effect to the NPSET. Transpower also supports the reference to “inappropriate use and development” within the policy and notes that this provides consistency with the proposed objectives in the new Natural Features and Landscapes chapter, particularly NFL-O2.</p>	Retain Policy 3.5 on the basis of the provision of a National Grid specific policy (Policy 3.6) consistent with the relief sought by Transpower.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><u><i>b. The unmodified and continuous indigenous vegetation values and the ridges and hilltops of the Ruahine Ranges Outstanding Natural Landscape.</i></u></p>			
<p><u><i>3.6 To recognise the major upgrade or development of new National Grid Electricity infrastructure in an Outstanding Natural Feature or Landscape by managing adverse effects on the characteristics and values of the feature or landscape by ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:</i></u></p> <p><u><i>a. Infrastructure will be located outside of an Outstanding Natural Feature or Landscape.</i></u></p> <p><u><i>b. Where a. cannot be achieved, infrastructure will be located in the more compromised parts of the Outstanding Natural Feature or Landscape; and</i></u></p> <p><u><i>c. Techniques (such as structure selection) will be used to avoid adverse effects; and</i></u></p> <p><u><i>d. Adverse effects that cannot be avoided will be remedied or mitigated.</i></u></p>	<p>Support with amendment</p>	<p>Transpower generally supports Policy 3.6 as it seeks to give effect to the NPSET by providing a National Grid specific policy for the major upgrade or development of new National Grid Electricity infrastructure within an Outstanding Natural Feature or Landscape.</p> <p>However, Transpower seeks some amendments to refine Policy 3.6 to ensure it gives effect to the NPSET. In particular, Transpower seeks to include specific reference to recognising the benefits of the National Grid (to give effect to Policy 1 and 2 of the NPSET) by providing for the major upgrade and development of new National Grid infrastructure .</p> <p>In addition, Transpower seeks to include reference to “where practicable” at the end of clause ‘d’ in order to make it clear that the requirement for avoidance or remediation is not absolute and may not be practicable for the National Grid. It is noted the NPSET does not require all effects be avoided, remedied or mitigated, rather the term is only used in NPSET Policy 3 in context of considering constraints when considering measures to avoid, remedy or mitigate adverse environmental effects, and Policy 4 in context of the extent to which any adverse effect have been avoided, remedy or mitigated by the routes, site and method selection. While Transpower notes that the term “where practicable” is used within the upfront section of Policy 3.6, it is not clear this directly relates to clause ‘d’.</p>	<p>Amend Policy 3.6 as follows:</p> <p><u><i>3.6 To recognise the benefits of the National Grid by providing for the major upgrade or development of new National Grid Electricity infrastructure in an Outstanding Natural Feature or Landscape by managing adverse effects on the characteristics and values of the feature or landscape by ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:</i></u></p> <p><u><i>a. Infrastructure will be located outside of an Outstanding Natural Feature or Landscape.</i></u></p> <p><u><i>b. Where a. cannot be achieved, infrastructure will be located in the more compromised parts of the Outstanding Natural Feature or Landscape; and</i></u></p> <p><u><i>c. Techniques (such as structure selection) will be used to avoid adverse effects; and</i></u></p> <p><u><i>d. Adverse effects that cannot be avoided will be remedied or mitigated, where practicable.</i></u></p>
<p>3A.4 Rules</p>			
<p>3A.4.5 Discretionary Activities <u><i>The following activities shall be a Discretionary Activity</i></u> <u><i>a. Any new network utility, including windfarms and new transmission and distribution electricity lines within any Outstanding Natural Feature as identified in</i></u></p>	<p>Support</p>	<p>Transpower supports the discretionary activity status that is provided for new transmission electricity lines within any ONF identified in NFL-APP1 or a SAF identified in NFL-APP2 within Rule 3A.4.5.a. As a discretionary activity, a full assessment of effects would be required, as well as a robust route, site and method selection process (as required by Policy 4 of the NPSET), appropriate conditions imposed, and the application able to be granted or declined.</p>	<p>Retain the discretionary activity status for new transmission electricity lines within a ONF or SAF in Rule 3A.4.5.</p>






Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><u>NFL-APP1 or Significant Amenity Feature identified in NFL-APP2.</u> <u>b. Any network utility not otherwise specified as Permitted, Restricted Discretionary or Non-Complying Activity, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</u></p>			
<p>3A.4.6 Non-Complying Activities <u>Any new network utility, including windfarms and new transmission and distribution electricity lines located within an Outstanding Natural Feature or Landscape identified in NFP-APP1 in Appendix 1C which is not otherwise provided for is a Non-Complying Activity.</u></p>	<p>Oppose</p>	<p>Transpower opposes the non-complying activity status for the National Grid within Outstanding Natural Landscapes (ONLs) under Rule 3A.4.6 as this does not give effect to the NPSET. Transpower seeks a discretionary activity status for new National Grid activities located within ONLs, consistent with the discretionary activity status provided by PC65 for new National Grid activities located within ONFs (and SAFs).</p> <p>The PC65 is required to give effect to the NPSET. 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). 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).</p> <p>On this basis, given the locational, operational and technical constraints of the National Grid, the recognition of the provision of infrastructure and operational need, and the national significance of the National Grid (as provided for in the NPSET), Transpower supports a discretionary activity status for new structures associated with the National Grid within Outstanding Natural Landscapes.</p> <p>As a discretionary activity, a full assessment of effects would be required as well as a robust route, site and method selection process (as required by NPSET Policy 4), appropriate conditions imposed, and the application would be able to be granted or declined. A discretionary activity status would also give effect to the new National Grid specific policy (Policy 3.6), with the ‘seek to avoid’ policy directive imbedded within the policy.</p> <p>A discretionary activity status for new National Grid development within both Outstanding Natural Landscapes and Features will ensure careful</p>	<p>Amend Rule 3A.4.6 to provide for new National Grid infrastructure within an identified Outstanding Natural Landscape as a discretionary activity.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		consideration is given to any proposed development against the specific characteristics and values of the landscape or feature. A discretionary activity status for new National Grid development within Outstanding Natural Landscapes has been recently been adopted in the Whangarei District and Thames Coromandel District proposed district plans (as agreed through consent orders) with appeal parties agreeing to the discretionary activity status on the basis of the 'seek to avoid' policy.	
Chapter 3D - Earthworks			
3D.4 Rules			
<p>3D.4.4 Discretionary Activities <i>The following activities are a Discretionary Activity:</i> a. Any earthworks that do not meet the Permitted Activity standards, or is<i>are</i> not specifically provided for in this Plan, shall be a<i>shall be a</i> Discretionary Activity. b. Any earthworks within an Outstanding Natural Feature identified in NFL-APP1 or Significant Amenity Feature identified in NFL-APP2.</p>	Support	Transpower supports the discretionary activity status that is provided for any earthworks within an ONF identified in NFL-APP1 or SAF identified in NFL-APP2 within Rule 3D.4.4.b. As a discretionary activity, a full assessment of effects would be required, appropriate conditions imposed, and the application would be able to be granted or declined.	Retain the discretionary activity status in Rule 3A.4.4 for earthworks activities within a ONF or SAF.
<p>3D.4.5 Non-Complying Activities Any earthworks within an Outstanding Natural Feature or Landscape identified in <u>NFL-APP1 Appendix 1C</u>, except within an existing road corridor, or in the National Grid Yard that do not comply with 3D.4.2 f. v) or vi) is a Non-Complying Activity.</p>	Oppose	<p>Transpower opposes the non-complying activity status for earthworks activities (specifically those associated with the use and development of the National Grid) within Outstanding Natural Landscapes (ONLs) under Rule 3A.4.5 as this does not give effect to the NPSET. Transpower seeks a discretionary activity status at most for earthworks activities associated with the National Grid that are located within ONLs, consistent with the discretionary activity status provided by PC65 for earthworks activities within ONFs (and SAFs).</p> <p>Specific to the National Grid, earthworks are often required to provide access to, and enable the ongoing operation, maintenance, repair and removal of infrastructure.</p> <p>The PC65 is required to give effect to the NPSET. 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</p>	Amend Rule 3D.4.5 to provide for earthworks associated with the National Grid within an Outstanding Natural Landscape as a discretionary activity.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		<p>character and recreation values and amenity and existing sensitive activities). The wording of NPSET Policy 8 (“should seek to avoid”) does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET). A non-complying activity status does not give effect to the NPSET, specifically the seek to avoid policy directive in Policy 8, and Policy 1 of the NPSET relating to the need to recognise and provide for the benefits of the National Grid, and Policy 2 recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid.</p> <p>On this basis, given the locational, operational and technical constraints of the National Grid, the recognition of the provision of infrastructure and functional need, and the national significance of the National Grid (as provided for in the NPSET), Transpower supports a discretionary activity status at most for earthworks associated with the National Grid within Outstanding Natural Landscapes. As a discretionary activity, a full assessment of effects would be required as well as a robust route, site and method selection process (as required by NPSET Policy 4), appropriate conditions imposed, and the application would be able to be granted or declined. A discretionary activity status would also give effect to the new National Grid specific policy (Policy 3.6), with the ‘seek to avoid’ policy directive imbedded within the policy.</p> <p>In addition, Transpower notes that the earthworks-specific policies in 3D.3, particularly Policy 1.3 under Objective 1 (which seeks to “restrict” earthworks in ONFLs), do not support a non-complying status for earthworks within ONLS.</p>	






Appendix 1: Map of Transpower Assets in the Manawatu District

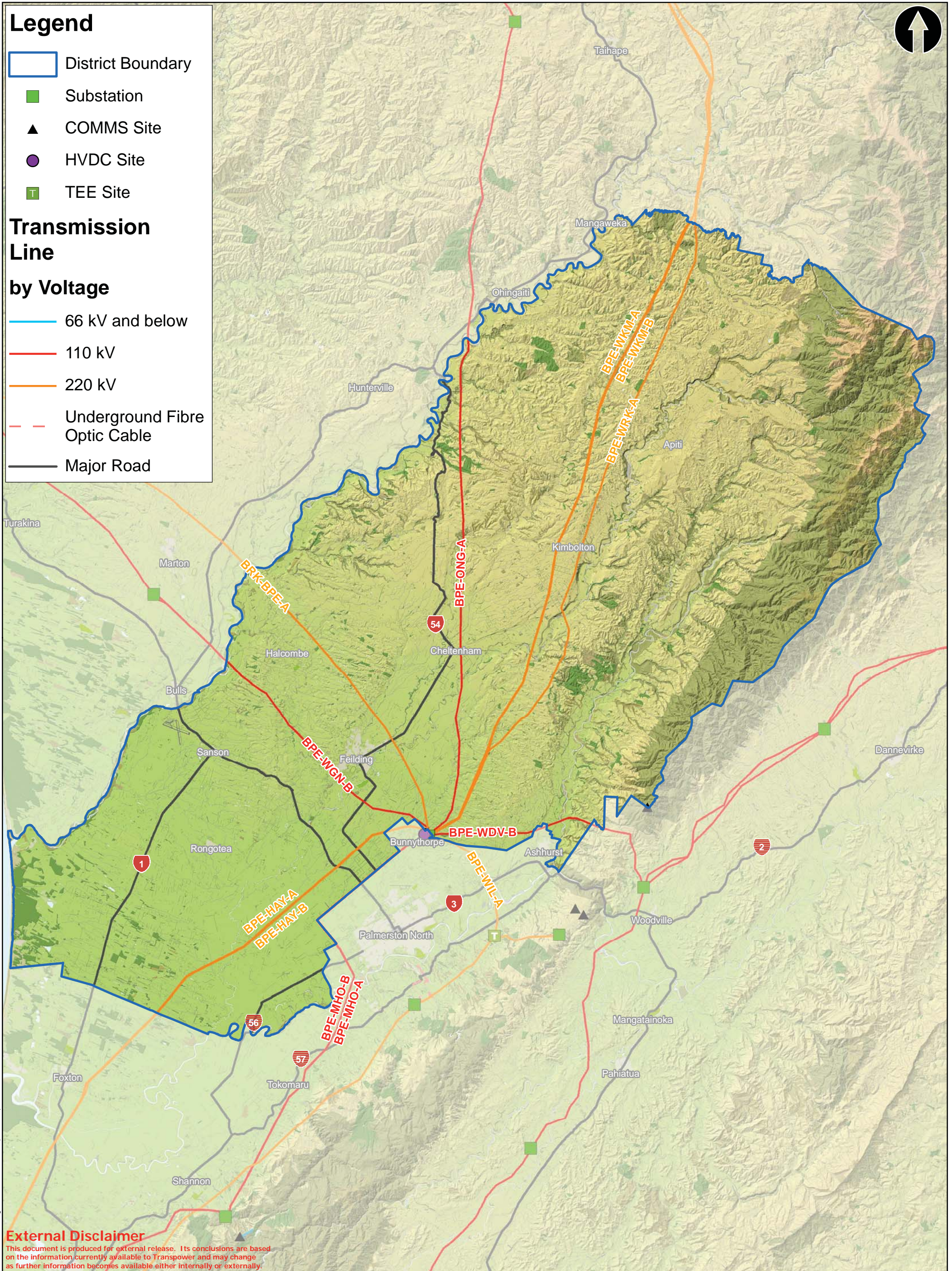
Legend

-  District Boundary
-  Substation
-  COMMS Site
-  HVDC Site
-  TEE Site

Transmission Line

by Voltage

-  66 kV and below
-  110 kV
-  220 kV
-  Underground Fibre Optic Cable
-  Major Road

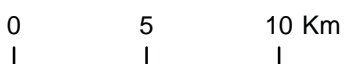


External Disclaimer
 This document is produced for external release. Its conclusions are based on the information currently available to Transpower and may change as further information becomes available either internally or externally.



TRANSPOWER
 Prepared by: Geospatial & Drawings

Transpower Assets, Manawatu District



COPYRIGHT © 2016 TRANSPOWER NEW ZEALAND LIMITED. ALL RIGHTS RESERVED
 This document is protected by copyright vested in Transpower New Zealand Limited ("Transpower"). No part of the document may be reproduced or transmitted in any form by any means including, without limitation, electronic, photocopying, recording or otherwise, without the prior written permission of Transpower. No information embodied in the documents which is not already in the public domain shall be communicated in any manner whatsoever to any third party without the prior written consent of Transpower. Any breach of the above obligations may be restrained by legal proceedings seeking remedies including injunctions, damages and costs.

Date: 16/03/2016 Drawn by: hurstg

Path: I:\Spatial\GIS\Projects\15010_DistrictRegional_TPNZ_AssetMaps\WXDsp15010_ManawatuDistrict.mxd

Projection: NZTM 2000 Scale: 1:285,000 Plan Size: A3P

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 28th day after the date on which it is notified in the *Gazette*.

3. Interpretation

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

Act means the Resource Management Act 1991.

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

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

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

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

Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

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

5. Objective

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

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

6. Recognition of the national benefits of transmission

POLICY 1

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

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

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

7. Managing the environmental effects of transmission

POLICY 2

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

POLICY 3

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

POLICY 4

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

POLICY 5

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

POLICY 6

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

POLICY 7

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

POLICY 8

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

POLICY 9

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

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

POLICY 10

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

POLICY 11

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

9. Maps

POLICY 12

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

10. Long-term strategic planning for transmission assets

POLICY 13

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

POLICY 14

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

Explanatory note

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

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

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