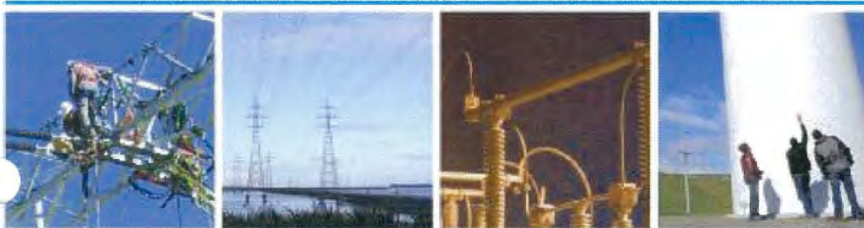


Submission by Transpower New Zealand Limited on the Proposed Marlborough Environment Plan

1 September 2016



Keeping the energy flowing



TRANSPOWER 



Form 5

Submission on publicly notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Marlborough District Council ("Council")
Name of submitter: Transpower New Zealand Limited ("Transpower")
This is a submission on: The Proposed Marlborough Environment Plan ("PMEP")

Transpower could not gain an advantage in trade competition through this submission.

The specific provisions of the PMEPE that this submission relates to are:

The PMEPE in its entirety and insofar as it relates to the National Grid, particularly the extent to which the PMEPE gives effect to the National Policy Statement on Electricity Transmission 2008 ("NPSET").

The specific details of Transpower's submission, and decisions sought in relations to the provisions of the PMEPE, are set out in the following table.

Transpower's submission is:

Executive Summary

The National Grid is nationally (and regionally) significant infrastructure which is recognised within the Resource Management Act 1991 ("RMA") context by the NPSET and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ("NESETA").

The PMEPE is required, among other things, to:

- (a) give effect to the provisions of the NPSET; and
- (b) not be in conflict with, nor duplicate, the provisions of the NESETA.

Transpower acknowledges Council's intent to meet these obligations. Transpower is also appreciative of the opportunity to engage with Council in the early stages of development of the PMEPE. However, Transpower considers amendments to the PMEPE are required in order to:

- (a) give effect to the NPSET;
- (b) achieve the purpose of the RMA;
- (c) clearly delineate the relationship between regional policy statement, regional plan and district plan provisions;
- (d) represent the most appropriate means of exercising Council's functions having regard to the efficiency and effectiveness of the provisions relative to other means; and
- (e) discharge Council's duty under section 32 of the RMA.

This submission outlines necessary amendments to the PMEPE to meet these statutory requirements.

Background: The National Grid and Transpower's Assets in Marlborough

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand's high voltage electricity transmission network (the National Grid) that carries electricity across the country. It connects power stations, owned by electricity generating companies, to substations feeding the local networks that distribute electricity to homes and businesses. The role

of the National Grid is to enable New Zealand to achieve its international and local aspirations.¹ The National Grid is critically important, and nationally significant, infrastructure that is necessary for a reliable and secure supply of electricity throughout the country and national and regional economic growth.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation and as such, Transpower's assets traverse all regions.

The National Grid extends from Kaikohe in the North Island to Tiwai Point in the South Island and comprises some 12,000km of transmission lines and cables and more than 170 substations. The National Grid also includes a telecommunications network of approximately 300 telecommunication sites. The telecommunications network connects and controls the various components of the National Grid (including substations).

Transpower's 30 year strategy for future development of the National Grid is set out in 'Transmission Tomorrow'. This document outlines the view that there will be an on-going role for the National Grid, and that the lines and substations Transpower owns and operates will be required into the future. As such, it is important that the existing transmission corridors are protected and maintained. Equally, it is important that where new infrastructure is required, this is recognised and provided for.

The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed. Operational requirements are set out in legislation, rules and regulations that govern the National Grid, including the Electricity Act 1992, the Electricity Industry Participation Code, and the Electricity (Hazards from Trees) Regulations 2003.

Transpower's interest in the PMEP is because Transpower owns and operates a number of assets within, and traversing Marlborough. These assets include transmission lines, substations, communications cables, submarine cables and associated infrastructure. These assets supply electricity to the Nelson, Tasman and Marlborough districts as well as transmit electricity to the rest of New Zealand, including to the North Island via the HVDC Cook Strait submarine cables.

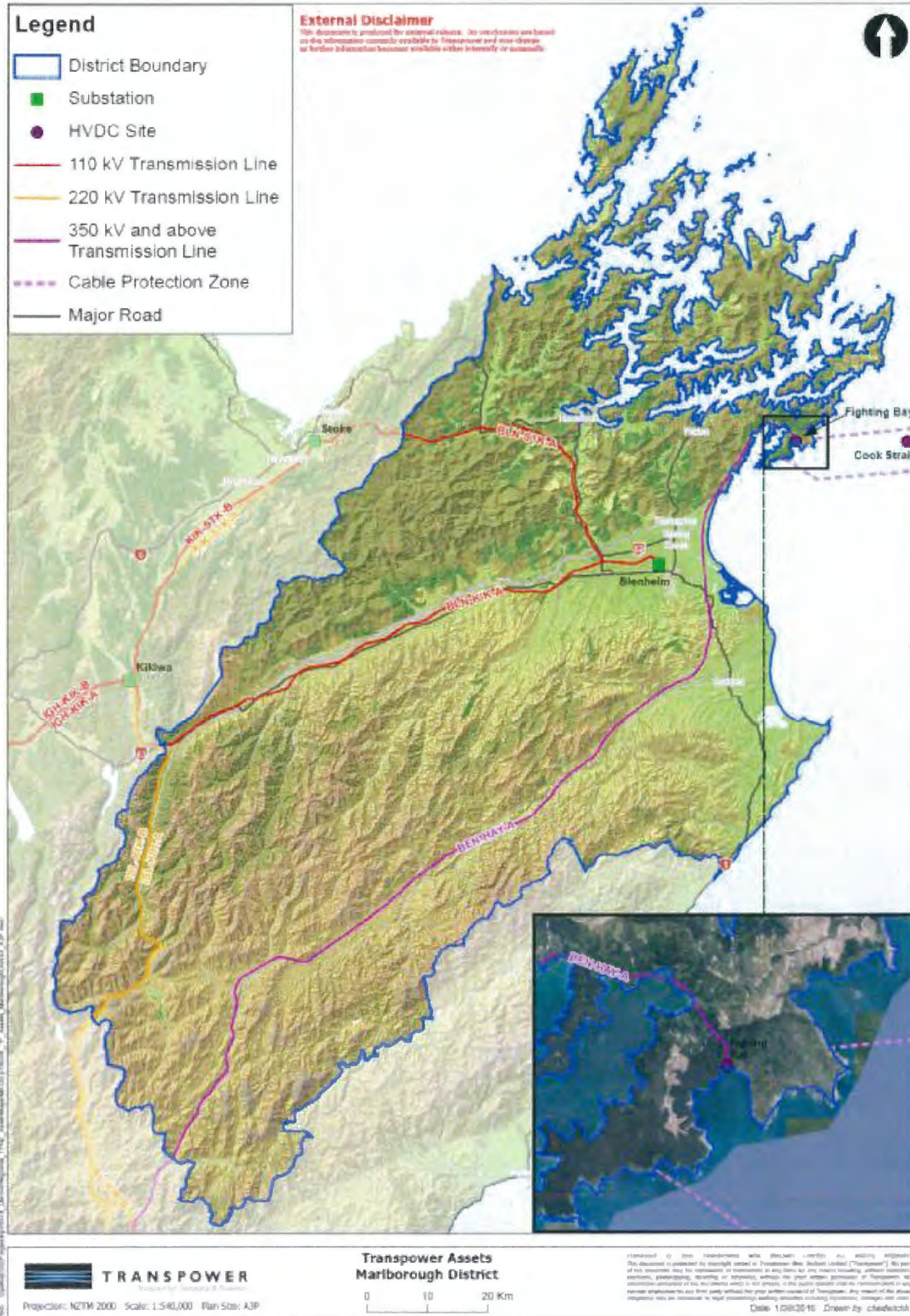
Transpower's assets within Marlborough (including in the coastal marine area and in, on, under and over the bed of rivers) consist of the following:

- Blenheim – Stoke A (BLN-STK-A) 110kV overhead transmission line on towers;
- Islington – Kikawa A (ISL-KIK-A) 220kV overhead transmission line on towers;
- Islington – Kikawa B (ISL-KIK-B) 220kV overhead transmission line on towers;
- Blenheim – Kikawa A (BLN-KIK-A) 110kV overhead transmission line on towers and pi-poles;
- Benmore – Haywards A (BEN-HAY A) 350kV HVDC overhead transmission line on towers;
- three 350kV submarine power cables;
- four submarine fibre optic communication cables;
- three original 250kV submarine power cables that are no-longer operational;
- telecommunications infrastructure including buried and overhead fibre optic cables;
- Fighting Bay Terminal Station;

¹ Transpower's Statement of Corporate Intent for July 2012 to June 2015.

- Blenheim Substation; and
- switching station equipment at the Argyle Switching Station.

The following map shows the location of the National Grid assets within Marlborough.



The Resource Management Act 1991 and the National Grid

The national significance of the National Grid is recognised, in an RMA context, by the NPSET and the NESETA. These documents apply only to the National Grid, and do not apply to local electricity distribution networks, nor lines owned and operated by generators. Much of Transpower's submission is focused on the requirements of these documents.

National Policy Statement on Electricity Transmission 2008

The NPSET was gazetted on 13 March 2008 and confirms the national significance of the National Grid and provides policy direction in relation to:

- recognising the benefits of National Grid transmission;
- managing the environmental effects of the National Grid;
- managing the adverse effects of third parties on the National Grid; and
- long term strategic planning for transmission assets.

A key reason for introducing the NPSET in 2008 was to resolve the inconsistencies that resulted from the variable provision for the National Grid in RMA plans and policy statements. This variance was despite the fact that the National Grid is largely the same across the country. In promoting the NPSET, central government accepted the importance and benefits of a nationally consistent approach to decisions on transmission activities. The preamble of the NPSET highlights that the National Grid has particular physical characteristics and operational/security requirements that create challenges for its management under the RMA, and it is important there are consistent policy and regulatory approaches by local authorities.

The RMA amendment to Regulation 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003,² by inserting section 2(i) further acknowledges the importance of the National Grid by requiring Transpower to be served notice of applications or reviews that may affect the National Grid.

The single Objective of the NPSET is as follows:

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

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

The NPSET Objective is supported by fourteen Policies. In a general sense these policies address the following:

- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route selection approach, and the requirements of existing assets;
- Policies 6 to 8: Reducing, minimising and avoiding adverse effects in differing contexts;
- Policy 9: Potential health effects;

² Resource Management (Forms, Fees, and Procedure) Amendment Regulations (No 2) 2006

- Policies 10 and 11: Managing adverse effects on the National Grid and providing for “buffer corridors”;
- Policy 12: Mapping the National Grid; and
- Policies 13 and 14: Long-term development and planning for transmission assets.

Section 62(3) requires a regional policy statement to give effect to a National Policy Statement (“NPS”) and sections 75(3) and 67(3) of the RMA requires a district plan and regional plan respectively to also give effect to a NPS. The Supreme Court recently considered what is meant by the phrase “give effect to” in the context of the New Zealand Coastal Policy Statement 2010 (“NZCPS”) and held that:

“Give effect to” simply means “implement”. On the face of it, it is a strong directive, creating a firm obligation on the part of those subject to it ... There is a caveat, however. The implementation of such a directive will be affected by what it relates to, that is, what must be given effect to. A requirement to give effect to a policy which is framed in a specific and unqualified way may, in a practical sense, be more prescriptive than a requirement to give effect to a policy which is worded at a higher level of abstraction.”

The Supreme Court held that the requirement to ‘give effect to’ the NZCPS is intended to constrain decision-makers. Transpower submit that this applies equally to the NPSET in the context of decisions relating to electricity transmission. Similarly, the observation that the “NZCPS is a carefully expressed document whose contents are the result of a rigorous process of formulation and evaluation. It is a document which reflects particular choices” applies to the NPSET.

Council must determine how to give effect to the NPSET, and similarly any future Hearings Panel must consider the NPSET in decisions on submissions. It is noted that the NPSET, along with further supporting documents, including an implementation guide, are available on the Ministry for the Environment website.³

Giving effect to the NPSET will ensure that:

- the National Grid is able to be safely, effectively and efficiently operated, maintained, upgraded and developed providing a reliable, safe and secure supply of electricity to the District and beyond; and
- the adverse effects of development in proximity to the National Grid are appropriately managed and are reduced, minimised or avoided depending upon the context in which the development occurs.

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

The NESETA came into effect on 14 January 2010 and sets out a national regulatory framework for activities related to existing National Grid lines, including the operation, maintenance and upgrading of such lines. The NESETA specifies permitted electricity transmission activities (subject to standards) and resource consent requirements where these activities do not meet the standards.

The NESETA only applies to the National Grid lines that existed at 14 January 2010 and does not apply to new transmission lines or substations. As with the NPSET, the NESETA does not apply to electricity distribution lines.

Under section 44A of the RMA, local authorities are required to ensure that there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. In the PMEP,

³ <http://www.mfe.govt.nz/rma/central/transmission>

Transpower seeks amendments to clarify the role of the NESETA. Transpower also seeks consistent provisions to apply to transmission lines that may be constructed after 14 January 2010. Further, there are situations where the NESETA Regulations defer to a district or regional plan. This means that it is critical that that the PMEP:

- clearly identifies and distinguishes regional rules from district rules (for example, Regulation 4(2)(f) of the NESETA; and
- identifies 'natural areas' in a way that is consistent with the definition of 'natural areas' in the NESETA so that the Regulations in the NESETA (for example, Regulation 30) can be clearly and simply applied in a consistent manner.

Transpower's Submission

Transpower generally supports many provisions included in the PMEP, such as:

- those provisions that give effect to the NPSET, or are consistent with the NESETA;
- objectives and policies that recognise the national significance of the National Grid and address adverse effects on the National Grid;
- the inclusion of rules that regulate activities, earthworks and subdivision within the National Grid Yard and Corridor;
- those provisions that recognise the specific need for, and needs of, infrastructure and/or utilities;
- identifies 'natural areas' in a way that is consistent with the definition of 'natural areas' in the NESETA so that the Regulations in the NESETA (for example, Regulation 30) can be clearly and simply applied in a consistent manner.

Notwithstanding this general support, Transpower's detailed submission (including the matters set out in the following table) highlights areas where provisions need to be added, amended or deleted to fully give effect to the NPSET and meet the requirements of section 32 of the RMA. In addition, Transpower seeks additional provisions that recognise the national significance of the National Grid and enable its operation, maintenance, upgrade and development. Some of the requested changes are as a result of Transpower's evolving approach to the management of activities near the National Grid as it works with Councils around the country on various plan review and plan change processes to give effect to the NPSET.

Enabling National Grid Activity

While the NESETA manages and regulates transmission lines that were built before 14 January 2010, it does not manage or regulate substations. Further, the construction of new lines in the future to satisfy electricity demand and any network security or reconfiguration requirements cannot be ruled out. Therefore, the PMEP needs to contemplate and provide an enabling framework for the development of the National Grid as a matter of national significance. Transpower does not consider that this is achieved through the 'generic', as opposed to National Grid specific, provisions for network utilities in the PMEP.

In light of Policies 1 -9 of the NPSET, which provide an enabling framework for the National Grid, the provisions of the PMEP need to ensure:

- the sustainable management of the National Grid as a physical resource of national significance is recognised;
- the National Policy Statement on Electricity Transmission 2008 (NPSET) is given effect to;
- the benefits of the National Grid at a local, regional and national level are recognised;

- appropriate provision for the effective operation and maintenance of the network, including ensuring that transmission lines can be accessed as part of subdivision and development;
- that the National Grid can be upgraded and developed in order to meet network requirements such as growth in energy demand, and that there may be technical and operational requirements of the network that dictate route, site and method selection; and
- appropriate provision for the planning and development of new transmission assets

Managing Adverse Effects on the National Grid

Transpower's detailed submission points particularly address matters that are directly related to Policies 10 and 11 of the NPSET, in terms of ensuring that the National Grid is appropriately "buffered" from activities that may have an adverse effect in terms of ongoing operation, maintenance, upgrade and development of the National Grid. Policies 10 and 11 of the NPSET provide the primary guidance to the management of adverse effects on the National Grid.

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."

Under Policy 10, the Council is obliged to manage "to the extent reasonably possible" activities to "avoid" reverse sensitivity effects. It is "reasonably possible" for the Council to manage activities using district plan rules, including rules applying to the activities within buffer corridors. Transpower acknowledges that the PMEP has sought to adopt such an approach but does not consider the provisions, as currently drafted, to be strong enough. Transpower considers additional provisions are required to truly give effect to Policy 10, including through the use of non-complying activity status.

Policy 11 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 11 of the NPSET requires local authorities to identify a buffer corridor. This is a mandatory requirement in order for the Council to give effect to the NPSET. Policy 11 also requires that sensitive activities within buffer corridors should not generally be provided for in plans and/or given resource consent. In order to give effect to Policy 11, the PMEP needs to include rules to restrict the establishment of sensitive activities in proximity to National Grid assets. The language of Policy 11 supports a non-complying activity status for these activities within buffer corridors. The term "generally not be provided for in plans" indicates that plans should manage sensitive activities in such a way that their location within a buffer corridor would be the exception. Non-complying activity status most appropriately recognises and provides for the effective operation, maintenance and development of the National Grid as required by Policy 2 of the NPSET and is the best method to ensure that activities do not compromise the National Grid.

Conclusion

In summary, Transpower's submission generally seeks the following:

- appropriate recognition of the NPSET in the hierarchy of RMA documents and the role it plays in establishing national policy;
- retention of clear identification of the National Grid on the planning maps with some minor amendments to the terminology;
- retention of a number of definitions, and the inclusion of further definitions to clarify the rules and plan users' understanding of the National Grid and the provisions that relate to it;
- additional provisions which recognise the national significance of the National Grid;
- additional provisions which protect the National Grid from adverse effects, including reverse sensitivity effects. This would give effect to Policies 10 and 11 of the NPSET;
- amendments to the rules regarding the development, maintenance and upgrading of utilities such as the National Grid, to ensure consistency with the NESETA;
- amendments to better distinguish regional and district plan provisions; and
- amendments to consolidate a clear and concise suite of provisions for network utilities that 'standalone' and do not defer to the zone rules and general rules except in specific and clearly defined circumstances.

Transpower New Zealand Limited seeks the following decision from the local authority:

Amend the PMEP to make all required changes, including the specific amendments set out in the following table; and such further, alternative or consequential relief as may be necessary to fully give effect to this submission.

Transpower wishes **to be heard in support of its submission.**

Due to the specific interests of Transpower in the context of the National Grid, Transpower will not consider presenting a joint case with others at a hearing.

Address for service of submitter: c/- Beca Limited
PO Box 13960
Christchurch

Telephone: +64 3 366 3188

Mobile: +64 27 215 0600

Email: ainsley.mcleod@beca.com

Contact person: Ainsley McLeod, Technical Director - Planning



.....
**Signature of the person authorised to sign
on behalf of Transpower New Zealand Limited**

Date: 1 September 2016

Transpower New Zealand Limited: Submission on the Proposed Marlborough Environment Plan, Decisions Sought

The following table sets out the decisions sought by Transpower, including specific amendments to the provisions of the PMEP and further reasons for these amendments. These amendments are shown in [red](#).

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 2. Background			
<p>Relationship of the MEP to other policy statements, standards and strategies</p> <p>National policy statements and national environmental standards</p>	Support in part	<p>Transpower generally supports the inclusion of a clear statement in relation to the role of national policy statements and national environmental standards in the 'Background' to the PMEP. Transpower seeks limited amendments to further clarify the relationship between national environmental standards and plan to better reflect section 44A of the RMA. Transpower also seeks the addition of a further paragraph to establish at a high level the content of the NPSET and NESETA.</p>	<p>Amend the commentary in relation to national policy statements and national environmental standards in the 'Background' as follows:</p> <p>“Central government can also prepare national environmental standards: technical standards relating to the use, development and protection of natural and physical resources. Such national standards provide an opportunity to promote nationally the use of consistent standards, requirements or practices. National standards <u>prevails override</u> existing provisions in plans <u>that require a lesser standard</u>. <u>A rule in a plan cannot duplicate or conflict with a provision in a national standard</u>. National environmental standards for air quality, sources of human drinking water, telecommunications facilities, electricity transmission and managing contaminants in soil have effect.</p> <p><u>The National Policy Statement on Electricity Transmission 2008 (NPSET) and the National Environmental Standards for Electricity Transmission Activities 2009 (NESETA) only apply to the National Grid and do not apply to electricity distribution. The NPSET recognises the national significance of the National Grid in its entirety. The NPSET facilitates the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission assets. The NESETA sets out a national framework of permissions and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines (post 14 January 2010) and substations.</u>”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 2. Use of Natural and Physical Resources			
Issue 4B - The social and economic wellbeing, health and safety of the Marlborough community are at risk of community infrastructure is not able to operate efficiently, effectively and safely			
Issue 4B	Support in part	<p>Transpower understands that the Objectives and Policies that address Issue 4B are those intended to give effect to the NPSET in the PMEPE. Transpower does not consider that the provisions that relate to Issue 4B achieve that statutory requirement to 'give effect', nor are they the most appropriate way to achieve the purpose of the RMA under section 32(1).</p> <p>While acknowledging the more directive approach in the National Policy Statement for Renewable Energy Generation 2011 (NPSREG) Transpower is also concerned that the approach taken to giving effect to the NPSET differs in form, efficiency and effectiveness when compared to the approach taken to giving effect to the NPSREG through the inclusion of a standalone chapter in Volume 1. It is noted that the PMEPE replicates the Objective of the NPSREG and includes a suite of regional, coastal and district provisions. Transpower considers that it may be appropriate to take a similar approach to the NPSET.</p> <p>In the absence of a standalone chapter that addresses nationally or regionally significant infrastructure, or utilities in general, Transpower considers that substantial amendments are required to the provisions that address Issue 4B in order of the PMEPE meet the statutory requirements of sections 62(3), 67(3) and 75(3) of the RMA and therefore achieve the purpose of the RMA.</p> <p>In terms of Issue 4B, Transpower consider the Issue is unduly constrained through the inclusion of reference to "community" infrastructure and through the exclusion of "development" and as such does not reflect the Objective and Policies 1 and 2 of the NPSET.</p>	<p>Amend Issue 4B as follows:</p> <p>"The social and economic wellbeing, health and safety of the Marlborough community are at risk if community infrastructure, and particularly nationally and regionally significant infrastructure, is not able to operate upgrade and develop efficiently, effectively and safely"</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Issue 4B – Explanatory text	Support in part	Transpower considers that the explanatory text accompanying Issue 4B understates the national significance of the National Grid, and more generally fails to address the need to develop utilities and infrastructure. Transpower seeks amendments to the text that are comparable to the manner in which the PMEP addresses the NPSREG and that better reflect the direction given in the NPSET in terms of the National Grid's importance.	<p>Amend the first paragraph of the explanatory text to Issue 4B as follows:</p> <p>“We rely on a range of physical resources to allow our communities function on a day-by-day basis. These resources include the water, stormwater and waste disposal services provided to townships and small settlements; the transport links within Marlborough and connecting Marlborough to the remainder of the country; the provision of electricity and telecommunications; and, on the Lower Wairau Plain, the drainage of land. Collectively, this infrastructure is regionally significant due to the contribution it makes to our social and economic wellbeing, health and safety. <u>Central government has recognised the importance of electricity transmission through the National Policy Statement on Electricity Transmission (NPSET), which came into effect in 2008. The NPSET establishes that the need to operate, maintain, develop and upgrade the National Grid is a matter of national significance. The Objective of the NPSET is to recognise the national significance of the National Grid by facilitating its operation, maintenance, upgrade and development while managing adverse effects of, and on, it.</u> Other infrastructure in (e.g. RNZAF Base Woodbourne) or running through Marlborough (e.g. the National Grid and state highways) also has national importance. It is important that this strategic infrastructure is able to operate, <u>upgrade and develop</u> efficiently, effectively and safely on an ongoing basis for community wellbeing. The ability to maintain, upgrade and replace existing infrastructure without significant constraint is important in this respect. Occasionally, aNew infrastructure may be required to provide for growth within the district.”</p>
Objective 4.2 – Efficient, effective and safe operation of regionally significant infrastructure.	Support in part	Transpower generally supports Objective 4.2 to the extent that it provides for the operation of regionally significant infrastructure (that includes the National Grid). However, Transpower considers that the proposed Objective fails to give effect to the NPSET because it does not contemplate the upgrade and development of the National Grid. Policy 2 of the NPSET requires decision-makers to “recognise and provide for the effective operation, maintenance,	<p>Amend Objective 4.2 as follows:</p> <p>“[RPS, <u>C, R, D</u>]</p> <p>Objective 4.2 – Efficient, effective and safe operation, <u>upgrade and development</u> of <u>nationally and regionally significant infrastructure</u></p> <p>The community relies on the considerable infrastructure that has been developed to protect and support the population. It is essential for the social and economic wellbeing, health and</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>upgrading and development of the electricity transmission network". The amendments to Objective 4.2 that are sought by Transpower are necessary to give effect to the NPSET and achieve the purpose of the RMA.</p> <p>Further, Transpower is not clear in respect of the rationale for the Objective, and accompanying Policies, being regional policies only. This differs to the approach taken to giving effect to the NPSREG. Insofar as Objective 4.2 relates to the National Grid, Transpower considers that the Objective (and associated relevant Policies) should also be a regional plan, regional coastal plan, and district plan objective.</p>	<p>safety of the Marlborough community that this critical infrastructure continues to operate <u>and develop</u> efficiently, effectively and safely on an ongoing basis. This includes the ability to maintain, upgrade and replace existing infrastructure."</p>
<p>Policy 4.2.1 – Recognise the social, economic, environmental, health and safety benefits from the following infrastructure ...</p>	<p>Support in part</p>	<p>Transpower generally supports Policy 4.2.1, including the recognition of the National Grid as regionally significant. However, Transpower is concerned that the proposed Policy is inappropriately constrained to existing infrastructure. It is considered that this approach presents significant issues in terms of implementing the proposed Policy and is not consistent with the NPSET, that takes a policy approach of 'enabling' existing National Grid assets and 'recognising and providing for new National Grid assets.</p> <p>It is noted that by confining the Policy to the existing National Grid any new Transpower assets would not be considered regionally significant in the context of the PMEP and therefore the benefits of these assets need not be recognised and provided for. Such an approach is contrary to Policy 1 of the NPSET. Similarly, the explanation to the proposed Policy notes that the benefits of regionally significant infrastructure will be taken into account when considering resource consent applications and notices of requirement, but a consequence of confining the Policy to existing infrastructure is that the Policy would have little to no relevance in the consideration of applications and notices of requirement for new regionally significant infrastructure.</p> <p>In order to fully give effect to Policy 1 of the NPSET,</p>	<p>Amend Policy 4.2.1 as follows: "[RPS, <u>C, R, D</u>] Policy 4.2.1 – Recognise <u>and provide for</u> the social, economic, environmental, health and safety benefits from the following infrastructure, either existing or consented at the time the Marlborough Environment Plan became operative, as regionally significant: ... (e) National Grid (the assets used or owned by Transpower <u>New Zealand</u> Limited); ... The policy identifies infrastructure considered regionally significant due to its contribution to the social and economic wellbeing or health and safety of a large proportion of Marlborough's population, or because of its strategic importance nationally. These benefits will be taken into account when developing district and regional rules and when considering resource consent applications, notices of requirement and plan change requests. This policy recognises the significance of the infrastructure existing or consented at the time that the MEP becomes operative."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>Transpower seeks that the reference to existing infrastructure be deleted from Policy 4.2.1.</p> <p>Consistent with the relief sought in relation to Objective 4.2, Transpower seeks that this Policy be expanded to all be a regional coastal plan, regional plan and district plan policy.</p>	
Policy 4.2.2 – Protect regionally significant infrastructure from the adverse effects of other activities.	Support in part	<p>Transpower supports Policy 4.2.2 because the proposed Policy appropriately gives effect to Policies 10 and 11 of the NPSET and seeks limited amendments to achieve greater consistency with these NPSET Policies.</p> <p>Consistent with the relief sought in relation to Objective 4.2, Transpower seeks that this Policy be expanded to all be a regional coastal plan, regional plan and district plan policy.</p>	<p>Amend Policy 4.2.2 as follows: “[RPS, C, R, D] Policy 4.2.2 – Protect regionally significant infrastructure from the adverse effects of other subdivision, use and development activities. The effective and efficient operation of regionally significant infrastructure can be protected by avoiding the establishment of incompatible activities in close proximity to the infrastructure in the first place. This policy recognises that there has already been significant investment in the infrastructure and that there are usually considerable difficulties relocating the infrastructure in the event of conflict with other land uses. In respect of the electricity transmission network, it is a requirement of the National Policy Statement on Electricity Transmission (NPSET) for decision makers to manage activities to avoid reverse sensitivity effects on the network <u>to ensure that the National Grid is not compromised as much as possible.</u></p>
New Policy 4.2.x	Oppose	<p>Transpower opposes the Policies that implement Objective 4.2 to the extent that the policy framework recognises the significance of the National Grid, but does not enable or provide for the National Grid in a manner that is consistent with the Objective and Policies 2 and 5 of the NPSET. Transpower therefore seeks the inclusion of a new Policy that enables the National Grid.</p> <p>Transpower also considers that the PMEP would benefit from a policy that mirrors Policy 18.1.3, that relates to renewable energy generation, in order to provide greater clarity and direction in terms how the National Grid is recognised and provided for in the Marlborough context.</p>	<p>Insert the following additional Policies: “[RPS, C, R, D] <u>Policy 4.2.x - Enable the operation, maintenance, upgrading and development of essential network utilities, including the National Grid, throughout Marlborough.</u> <u>A number of National Grid assets are located in and traverse Marlborough, including substations, transmission lines, submarine cables and telecommunications equipment. These assets are of critical importance to the health, safety, wellbeing and prosperity of people and communities across New Zealand. This policy recognises the need to operate, maintain, upgrade and develop the National Grid as a matter of national importance.</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>It is considered that the additional policies proposed are the most efficient and effective way to give effect to the NPSET, implement (and give effect to) Objective 4.2 and achieve the purpose of the RMA. Further, such an approach is considered necessary in order to support the subsequent existing provisions in the PMEP (such that these provisions are implementing this Policy).</p>	<p><u>[C, R, D]</u></p> <p><u>Policy 4.2.x – When considering the environmental effects of National Grid activities, to have regard to:</u></p> <p><u>(a) the national, regional and local benefits of sustainable, secure and efficient electricity transmission;</u></p> <p><u>(b) the locational, technical and operational requirements that constrain measures to avoid, remedy or mitigate adverse effects;</u></p> <p><u>(c) the extent to which any adverse effects have been avoided, remedied or mitigated by route, site and method selection;</u></p> <p><u>(d) the extent to which existing adverse effects have been reduced as part of any substantial upgrade;</u></p> <p><u>(e) the effects on urban amenity (including town centres) areas of high recreational or amenity value and existing sensitive activities.</u></p> <p><u>(f) adverse effects on outstanding natural landscapes, areas of high natural character, town centres, areas of high recreation value and existing sensitive activities, including the extent to which adverse effects can be avoided.</u></p> <p><u>When considering an application for resource consent(s) or notice of requirement for National Grid activities, the Council will have regard to the positive and adverse effects on the environment associated with the activity. This policy provides guidance on the matters that are relevant to this consideration."</u></p>
<p>Methods of implementation 4.M.6 Identification</p>	<p>Support in part</p>	<p>Transpower support Method 4.M.6 because it is consistent with the approach to mapping required by Policy 12 of the NPSET. Transpower suggests limited amendment to the Method to refer to 'the National Grid' rather than 'the electricity transmission network' in order to align with the terminology and definitions used elsewhere in the PMEP and to more clearly distinguish the National Grid from electricity distribution lines.</p>	<p>Amend Method 4.M.6 as follows:</p> <p>"4.M.6 Identification</p> <p><i>The National Grid electricity transmission network will be identified on the planning maps. This will allow the other methods to be applied to manage the adverse effects of third parties on the <u>National Grid transmission network</u>."</i></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>Methods of Implementation 4.M.8 Designations</p>	<p>Support in part</p>	<p>Transpower supports Method 4.M.8 to the extent that the Method acknowledges that designations are a method available to requiring authorities. However, Transpower is concerned that the Method statement does not clearly state that designations may be used for the development of new regionally significant, or nationally significant, infrastructure. Similarly, it is considered that the notified Objective and Policies that respond to Issue 4B do not provide the stated 'encouragement' to rely on designations on the basis that these provisions do not address the development of new regionally significant infrastructure, nationally significant infrastructure or utilities. On this basis, and in order to give effect to Policy 2 of the NPSET, Transpower seeks limited amendments to Method 4.M.8 along with more substantial amendments to the Objective and Policies (as set out above).</p>	<p>Amend Method 4.M.8 as follows: "4.M.8 Designations <i>Encourage requiring authorities (as defined by Section 166 of the RMA) to utilise designations as an effective means of identifying, <u>developing</u> and protecting <u>nationally and</u> regionally significant infrastructure. Designations can then be explicitly included in the MEP."</i></p>
<p>Methods of implementation 4.M.9 District and regional rules</p>	<p>Support in part</p>	<p>Transpower generally supports Method 4.M.9 to the extent that the Method:</p> <ul style="list-style-type: none"> indicates how the rules in the PMEP are intended to give effect to the NPSET; and establishes the role of the NESETA as it relates to existing transmission lines. <p>That said, Transpower is concerned that the Method does not clearly provide for rules that address the development of the National Grid and does not give effect to Policy 2 of the NPSET. Transpower therefore supports further amendments to the Method to give effect to Policy 2 of the NPSET by stating that the rules in the MEP also provide for the development of regionally significant infrastructure.</p> <p>Further, Transpower seeks amendments to the Method to more clearly reflect the intent of the NPSET in relation to third party activities. Specifically, Transpower seeks that the amendment addresses Policy 10 of the NPSET, along with Policy 11, and more closely mirrors the language used by the NPSET.</p> <p>Transpower also seeks the inclusion of reference to</p>	<p>Amend Method 4.M.9 as follows: "4.M.9 District and regional rules <i>Rules will be used to <u>provide for enable activities associated with the operation, maintenance, alteration, minor upgrading and replacement development of nationally and</u> regionally significant infrastructure. Standards will specify the extent of works involved with any of these activities.</i> <i>Rules will be used to control the proximity of <u>activities and uses in river beds, and in the coastal marine area,</u> that could have adverse effects on regionally significant infrastructure. This includes development <u>in the vicinity of within</u> the National Grid <u>corridor.</u></i> <i>A buffer corridor for the National Grid transmission lines will be established through rules within which activities will be managed to reduce the risk of electrical hazard, <u>avoid the potential for</u> reverse sensitivity effects and <u>ensure that adverse effects on the structural integrity of</u> the National Grid <u>is not compromised.</u> The width of the corridor will vary depending on the activity, type of National Grid assets and the sensitivity of the network to the activity. This method gives effect to <u>Policy 10 and</u> Policy 11 of the NPSET.</i></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		rules addressing the proximity of activities in the coastal marine area in order to provide for the protection of Transpower's submarine cables in a manner that is consistent with Policy 10 of the NPSET. Lastly, Transpower seeks amendment to the paragraph that sets out the role of the NESETA to provide greater clarity and to better reflect sections 43B and 44A of the RMA and Regulation 4 of the NESETA.	<i>In addition to the rules in the MEP, The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 <u>contain separate rules for the operation, maintenance, upgrading, relocation or removal of</u> establishes various classes of activity for certain activities relating to existing <u>National Grid transmission lines. Except as provided for by Regulations, no rules in the MEP apply to such activities.</u></i>
Methods of Implementation 4.M.10 Affected party status	Support in part	Transpower supports Method 4.M.10 in its entirety, on the basis that it provides clarity in respect of the direction given by Regulation 10 of the Resource Management (Forms, Fees and Procedures) Regulations 2010. Transpower seeks a minor amendment to include reference to its correct legal name.	Amend Method 4.M.10 to replace "Transpower NZ" with " <u>Transpower New Zealand Limited</u> ".

Volume 1: 6. Natural Character

Issue 6A – Resource use and changes in resource use can result in the degradation of the natural character of the coastal environment, and of lakes rivers and their margins

Objective 6.2 – Preserve the natural character of the coastal environment, and lakes and rivers and their margins, and protect them from inappropriate subdivision, use and development.	Support in part	<p>Transpower generally supports Objective 6.2 and considers that it mirrors section 6(a) of the RMA in a manner that achieves the purpose of the RMA. However, Transpower considers that the subsequent proposed Policies that implement Objective 6.2 fail to balance the matters of national importance in section 6(a) of the RMA with the national significance of the National Grid in the NPSET. In doing so, the proposed Policies (particularly through an approach of blanket 'avoidance') do not recognise that there may be situations where the use and development of areas with section 6(a) values is appropriate in a manner that is consistent with the RMA.</p> <p>The National Grid will, in some locations, need to traverse areas with section 6(a) values due to its linear, nationwide, technical and operational requirements. This need is recognised in Policy 3 of the NPSET and further recognised in Policy 6(2) of the New Zealand Coastal Policy Statement 2010 (NZCPS) in relation to the coastal marine area. In the context of Marlborough</p>	<p>Amend Policy 6.2.1 as follows:</p> <p>"Policy 6.2.1 – Avoid the adverse effects of <u>inappropriate subdivision, use or development on areas of the coastal environment with outstanding natural character values and on lakes and rivers and their margins with high and very high natural character values.</u></p> <p>Where the natural character of the coastal environment is outstanding, Section 6(a) of the RMA indicates that this level of preservation should be retained, particularly when coupled with the similar direction in Policy 13 of the NZCPS. This means that the any <u>adverse effects of inappropriate activities</u> on natural character values should be avoided. That is not to say that no subdivision, use or development can occur within the coastal environment - activities may not adversely affect the natural character of the surrounding environment, or may include features or benefits that maintain the existing levels of natural character. <u>In addition there are some activities, for instance National Grid assets, which have a technical, functional or operational need to locate in the coastal</u></p>
--	------------------------	---	--

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>the National Grid traverses numerous rivers and the coastal marine area (including the Cook Strait submarine cables). It is considered that the setbacks proposed in Policy 6.2.8 do not recognise the necessity of infrastructure connections across rivers and the coastal marine area.</p> <p>The NPSET policy approach, in Policy 8, is to “seek to avoid” areas of high natural character, rather than avoid in all instances. This Policy recognises that “avoidance” will not be possible in all situations but that best endeavours should be made to achieve this.</p> <p>In order to recognise that section 6(a) ‘areas’ should not be protected from all subdivision, use and development and to give effect to the NPSET Transpower seeks amendments to the Policies that implement Objective 6.2 in order to achieve a balance between the matters of national importance in section 6(a) of the RMA with the national significance of the National Grid in the NPSET. It is considered that this approach efficiently and effectively implements Objective 6.2 and therefore achieves the purpose of the RMA.</p>	<p><u>environment. This is recognised by Policy 6 of the NZCPS.</u></p> <p>For freshwater bodies there is also a requirement in Section 6(a) to preserve the natural character of wetlands, lakes and rivers and their margins and to protect this natural character from inappropriate subdivision, use and development. Having regard to Policy 6.1.5, the Council has assessed the values of rivers and lakes and their level of significance in order to give effect to Section 6(a). In undertaking this assessment, the Council has determined that where the freshwater values are high or very high, then adverse effects on these values should be avoided, <u>except where the avoidance of adverse effects is not possible due to the technical, functional or operational requirements of nationally significant infrastructure.</u>”</p> <p>Amend Policy 6.2.2 as follows:</p> <p>“Policy 6.2.2 – Avoid significant adverse effects of <u>inappropriate</u> subdivision, use or development on coastal natural character, having regard to the significance criteria in Appendix 4.</p> <p>The degree of adverse effects on coastal natural character is an important consideration under Policy 13(1)(b) of the NZCPS. Where the extent of change in the coastal environment from subdivision, use or development causes significant adverse effects on natural character, the NZCPS states those effects should be avoided. There is therefore a threshold beyond which remediation and/or mitigation of those adverse effects is not an appropriate management option. <u>It is acknowledged that there are some activities that have a technical, functional and operational need to be located in areas identified as having natural character, such as the linear infrastructure that is nationally significant. The adverse effects of such activities cannot be avoided in all cases.</u> That threshold will be determined on a case-by-case basis through the resource consent or plan change process. The significance of the adverse effect will depend on the nature of the proposal, the natural character context within which the activity is proposed to occur and the degree of change to the attributes that contribute to natural character in that context.</p> <p>...”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>Amend Policy 6.2.8 as follows:</p> <p>“Policy 6.2.8 – Require land use activities to be set back from rivers, lakes and the coastal marine area in order to preserve natural character, <u>except where nationally significant infrastructure has a locational, technical or operational need to traverse rivers, lakes and the coastal marine area.</u>”</p> <p>The proximity of land use activity to rivers, lakes and the coastal marine area has a significant influence on the potential for adverse effects on natural character. The closer the activity, the greater the potential for modification to the elements, patterns, processes and experiential qualities that contribute to natural character. For this reason, land use activities will be required to be set back from rivers, lakes and the coastal marine area. The setback will be implemented through permitted activity standards and application can be made for resource consent to undertake an activity within the setback. The adverse effects of any such proposal will be assessed against the provisions of this chapter <u>and Chapter 4 where the proposal is for regionally significant infrastructure.</u>”</p>
<p>Volume 1: 7. Landscape</p> <p>Issue 7A – Resource use and changes in resource use can result in the modification or less of values that contribute to outstanding natural features and landscapes and to landscapes with high amenity value.</p>			
<p>Objective 7.2 – Protect outstanding natural features and landscapes from inappropriate subdivision, use and development and maintain and enhance landscapes with high amenity values.</p>	<p>Support in part</p>	<p>Transpower generally supports Objective 7.2 and considers that the proposed Objective mirrors section 6(b) and section 7(c) of the RMA in a manner that achieves the purpose of the RMA. Transpower also considers that the subsequent proposed Policies that implement Objective 7.2 go some way to balancing the matters of national importance in section 6(b) of the RMA with the national significance of the National Grid in the NPSET, including the matters addressed in Policies 2, 3 and 4 of the NPSET. However, Transpower seeks further limited amendments to some of the proposed Policies to recognise that there may be situations where the use and development of areas with</p>	<p>Amend Policy 7.2.5 as follows:</p> <p>“Policy 7.2.5 – Avoid adverse effects <u>of inappropriate subdivision, use and development</u> on the values that contribute to outstanding natural features and landscapes in the first instance. Where adverse effects cannot be avoided and the activity is not proposed to take place in the coastal environment, ensure that the adverse effects are remedied <u>or mitigated.</u>”</p> <p>Where resource consent is required to undertake a particular activity in an outstanding natural feature or landscape, this policy provides a clear preference for avoiding adverse effects on the biophysical, sensory or associative values within the landscape. This does not mean that there can be no new</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>section 6(a) or section 7(c) values is appropriate in a manner that is consistent with the RMA, including in situations when the National Grid has a technical, functional or operational requirement to locate in such areas and that in these situations it may not be possible or appropriate to require that all adverse effects are avoided, remedied or mitigated.</p> <p>The amendments sought by Transpower better implement Objective 7.2; better achieve a balance between matters of national importance in section 6(b) of the RMA with the national significance of the National Grid in the NPSET, better give effect to the NPSET and therefore to achieve the purpose of the RMA.</p> <p>In the context of Policy 7.2.5, it is not considered necessary to address the coastal environment. Such matters are more appropriately and efficiently addressed by the suite of specific policies in Chapter 13.</p> <p>The amendments sought to Policy 7.2.6 address situations where the development of nationally significant infrastructure will have residual adverse effects in a manner that is consistent with the environmental outcomes anticipated by the NPSET. It is considered that the operation and maintenance of significant infrastructure should be enabled throughout the MEP in accordance with Policy 5 of the NPSET and therefore seeking to address any potential adverse effects of such activities in Policy 7.2.6 is inappropriate.</p>	<p>resource use within outstanding natural features or landscapes; rather, the use or development of natural and physical resources may be able to be undertaken in a way that the quality and significance of the values is not diminished. Alternatively, adverse effects may be able to be remedied through careful planning or remedial works. Policy 7.2.7 provides further guidance in this regard. The option of remedying adverse effects on landscape values does not apply to activities occurring within the coastal environment, as Policy 15 of the NZCPS requires that such adverse effects are avoided. It is recognised that some activities, for instance National Grid assets, have a technical, functional or operational need to locate within an outstanding natural feature or landscape and that the adverse effects of such activities cannot be avoided in all cases. Further direction in this regard is provided by Policy 7.2.6.</p> <p>Amend Policy 7.2.6 as follows:</p> <p>“Policy 7.2.6 – Where the following activities are proposed to take place in an area with outstanding natural features and landscapes, then any the adverse effects on the values of those areas can be mitigated, <u>to the extent reasonably possible, having regard to provided</u> the overall qualities and integrity of the wider outstanding natural feature and landscape are retained:</p> <p>(a) activities involving the <u>upgrade and</u> development and operation of regionally significant infrastructure;</p> <p>....</p> <p>This policy relaxes the direction provided by Policy 7.2.5 for outstanding natural features and landscapes in limited circumstances. These circumstances are described in (a) to (c) and reflect the considerable benefits that the listed activities provide to the social and economic wellbeing, health and safety of our community.</p> <p>Regionally significant infrastructure is essential to allowing our communities to function on a day-by-day basis. This infrastructure may need to be <u>developed or</u> expanded in the future and that expansion may need to occur in areas of</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>outstanding natural features and landscapes. In respect of (b), many outstanding natural features and landscapes can already be accessed for passive recreational purposes and the RMA seeks to maintain and enhance these amenity values. ...</p> <p>The policy does not allow the activities in (a) to (c) to occur without consideration of the impact they may have on outstanding natural features and landscapes. Any adverse effects on the biophysical, sensory or associative values within the landscape must still be remedied or mitigated as much as possible. As adverse effects can occur at various scales, there should also be consideration of the impacts of the proposed activity on the overall qualities and integrity of the wider outstanding natural feature or landscape. The policy requires that the overall quality and integrity of the landscape should be retained.</p> <p>This policy does not apply to activities occurring in the coastal environment, as Policy 15 of the NZCPS requires that adverse effects of activities on outstanding natural feature or landscape be avoided.</p> <p>Amend Policy 7.2.7 as follows:</p> <p>“Policy 7.2.7 – Protect the values of outstanding natural features and landscapes and the high amenity values of the Wairau Dry Hills and the Marlborough Sounds Coastal Landscapes by:</p> <p>(a) In respect of structures:</p> <ul style="list-style-type: none"> (i) avoiding visual intrusion on skylines, particularly when viewed from public places; (ii) avoiding new dwellings in close proximity to the foreshore; (iii) using reflectivity levels and building materials that complement the colours in the surrounding landscape; (iv) limiting the scale, height and placement of structures to minimise intrusion of built form into the landscape;

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>(v) recognising that existing structures may contribute to the landscape character of an area and additional structures may complement this contribution;</p> <p>(vi) making use of existing vegetation as a background and utilising new vegetation as a screen to reduce the visual impact of built form on the surrounding landscape, providing that the vegetation used is also in keeping with the surrounding landscape character; and</p> <p>(vii) encouraging utilities to be co-located wherever possible <u>and recognising the locational needs of utilities and regionally significant infrastructure;</u> ..."</p>
Volume 1: 8. Indigenous Biodiversity Issue 8A – A reduction in the extent and condition of indigenous biodiversity in Marlborough			
<p>Policy 8.3.1 – Manage the effects of subdivision, use or development in the coastal environment by ...</p> <p>Policy 8.3.2 - Where subdivision, use or development requires resource consent, the adverse effects on areas, habitats or ecosystems with indigenous biodiversity value shall be ...</p>	Oppose	<p>Transpower opposes Policy 8.3.1 and 8.3.2 because the proposed Policies fail to appropriately provide for the operation, maintenance, development and upgrade of the National Grid, in a manner that is consistent with Policies 2 and 5 of the NPSET, by recognising that there will be times when it will be necessary for Transpower to have an adverse effect on indigenous biodiversity, primarily due to the need to clear indigenous vegetation.</p> <p>The proposed Policies are also inconsistent with the approach to indigenous vegetation clearance established by Regulations 30 to 32 of the NESETA whereby the most stringent activity status for indigenous vegetation clearance in relation to the National Grid is restricted discretionary activity status.</p> <p>Further, the proposed Policies fails to take into account the statutory requirement to remove vegetation in the vicinity of the National Grid under the Electricity Act 1992, and specifically NZCEP34:2001 and the Electricity (Hazards from Trees) Regulations 2003.</p> <p>Finally, the proposed Policies fails to consider the</p>	<p>Amend Policy 8.3.1</p> <p>"Policy 8.3.1 – Manage the effects of subdivision, use or development in the coastal environment by:</p> <p>(a) avoiding adverse effects where the areas, habitats or ecosystems are those set out in Policy 11(a) of the New Zealand Coastal Policy Statement 2010;</p> <p>(b) avoiding adverse effects where the areas, habitats or ecosystems are mapped as significant wetlands or ecologically significant marine sites in the Marlborough Environment Plan; or</p> <p>(c) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects where the areas, habitats or ecosystems are those set out in Policy 11(b) of the New Zealand Coastal Policy Statement 2010 or are not identified as significant in terms of Policy 8.1.1 of the Marlborough Environment Plan; <u>and</u></p> <p><u>(x) recognising that there will be situations where the operation, maintenance, development and upgrade of the National Grid will result in unavoidable adverse effects.</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>recognition given to the need for infrastructure (and necessarily the associated adverse effects) to be located in the coastal environment and the coastal marine area.</p> <p>Transpower therefore seeks an amendment to the proposed Policy to recognise the national significance of the National Grid by giving effect to the NPSET and being consistent with the NESETA, NZECP34:2001 and Policy 6 of the NZCPS.</p>	<p>Policy 11 of the New Zealand Coastal Policy Statement 2010 (NZCPS) defines a range of priorities so that indigenous biodiversity in the coastal environment is protected. Policy 8.3.1 of the MEP reflects the priority approach of the NZCPS to subdivision, use and development activities within the coastal environment. Policy 8.3.1 also recognises the national significance, and the on-going needs of the National Grid."</p> <p>Amend Policy 8.3.2 as follows:</p> <p>Policy 8.3.2 – Where subdivision, use or development requires resource consent, the adverse effects on areas, habitats or ecosystems with indigenous biodiversity value shall be:</p> <p>(a) avoided where it is a significant site in the context of Policy 8.1.1; and</p> <p>(b) avoided, remedied or mitigated where indigenous biodiversity values have not been assessed as being significant in terms of Policy 8.1.1;</p> <p><u>(x) in the case of the National Grid, avoided, remedied or mitigated to the extent possible having regard to the National Grid's technical, locational and operational constraints.</u></p> <p>This policy sets up a hierarchy for decision makers to use when assessing the effects of subdivision, use or development activities on areas, habitats or ecosystems with indigenous biodiversity value. For those sites identified as being significant in terms of Policy 8.1.1, it is important that adverse effects are avoided. This recognises that there are few significant sites remaining on private land, especially in southern Marlborough. Where sites have not been identified as significant through Policy 8.1.1, decision makers can also consider remediation or mitigation options to address adverse effects."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>Policy 8.3.8 – With the exception of areas with significant indigenous biodiversity value, where indigenous biodiversity values will be adversely affected through land use or other activities, a biodiversity offset can be considered to mitigate residual adverse effects. Where a biodiversity offset is proposed, the following criteria will apply ...</p>	<p>Support in part</p>	<p>Transpower generally supports Policy 8.3.8 to the extent that the proposed Policy appropriately recognises that “a biodiversity offset can be considered to mitigate residual adverse effects” by not that an offset must be considered. Transpower considers such an approach is consistent with the RMA because the policy (and the RMA) do not compel offsetting in any circumstance.</p>	<p>Retain Policy 8.3.8, to the extent that the Policy does not compel biodiversity offsetting.</p>

Volume 1: 9. Public Access and Open Space

Issue 9A – Trying to meet community expectations that public access will be available to rivers, lakes and the coast

<p>Policy 9.1.13 – When considering resource consent applications for activities, subdivision or structures in or adjacent to the coastal marine area, lakes or rivers, the impact on public access shall be assessed against the following:</p>	<p>Support in part</p>	<p>Transpower supports Policies 9.1.13 but seeks a further amendment to recognise Transpower’s Cook Strait submarine cables and the manner in which these assets are protected by the Submarine Cables and Pipelines Protection Act 1996, the associated Submarine Cables and Pipeline Protection Order 1992, and Submarine Cables and Pipelines Protection Amendment Order 1999.</p>	<p>Amend Policy 9.1.13 as follows:</p> <p>“Policy 9.1.13 – When considering resource consent applications for activities, subdivision or structures in or adjacent to the coastal marine area, lakes or rivers, the impact on public access shall be assessed against the following:</p> <p>...</p> <p><u>(x) whether there are restrictions on activities or access imposed by other legislation including the Submarine Cables and Pipelines Protection Act 1996.</u></p> <p>These criteria provide a framework to assist decision makers in assessing the effects on public access to and along the coast, rivers and lakes arising through resource consent applications for subdivision, activities or structures.”</p>
--	-------------------------------	---	---

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 10. Heritage Resources and Notable Trees			
Issue 10A – Marlborough’s historic heritage may be lost or adversely affected by changes in land use and land use management practices.			
Policy 10.1.5 - Avoid adverse effects on the historic heritage values of Category I heritage resources.	Oppose	Transpower opposes Policy 10.1.5 because the proposed Policy does not recognise that there are a number of utility assets attached to the Ōpaoa River Bridge, which is listed as a Category 1 Heritage Resource, including fibre optic cables owned by Transpower. The proposed Policy, as drafted, has the potential to compromise the ability for Transpower to maintain and upgrade this cable in a manner that is consistent with Policy 5 of the NPSET, given the strong "avoid" direction. Transpower seeks limited amendments to recognise the existing situation.	<p>Amend Policy 10.1.5 as follows:</p> <p>“Policy 10.1.5 – Avoid adverse effects on the historic heritage values of Category I heritage resources, <u>while recognising that minimal effects, including those associated with maintenance and upgrading, may be acceptable where existing infrastructure is attached to a Category 1 heritage resource.</u>”</p>
Volume 1: 10. Heritage Resources and Notable Trees			
Issue 10B – Trees that contribute to Marlborough’s historic heritage and/or amenity values are at risk of being removed or adversely affected			
Policy 10.2.3 – Consider approving any application to remove, trim or prune a notable tree or trees where ...	Support in part	Transpower supports Policy 10.2.3 on the basis that the proposed Policy recognises circumstances where it may be appropriate to trim or remove a notable tree. Transpower seeks a limited amendment to ensure that the proposed Policy recognises the statutory requirement to trim trees that may present a hazard to the National Grid under the Electricity (Hazards from Trees) Regulations 2003.	<p>Amend Policy 10.2.3 as follows:</p> <p>“Policy 10.2.3 – Consider approving any application to remove, trim or prune a notable tree or trees where:</p> <ul style="list-style-type: none"> (a) the tree or trees are dying, diseased or have otherwise lost the essential qualities for which the tree was originally identified; (b) the tree or trees have become, <u>or are likely to become a danger to people or the National Grid;</u> or (c) the tree or trees are significantly restricting a particular use of the site that offers greater positive effects in terms of historic heritage or amenity values. <p>...”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 11. Natural Hazards Issues 11A – Natural hazards in Marlborough, particularly flooding, earthquakes and land instability, have the potential to cause loss of life and significant damage to property and regionally significant infrastructure.			
<p>Policy 11.1.21 – Locate new structures and works to:</p> <p>(a) avoid them being damaged from the adverse effects of land instability; and ...</p>	<p>Oppose</p>	<p>Transpower generally supports the approach taken to controlling structures within areas prone to land instability. However, Transpower is concerned that 'avoid' approach in the proposed Policy fails to contemplate:</p> <ul style="list-style-type: none"> • the locational, operational and technical need for the National Grid to traverse areas of land instability; • the statutory obligations and designs standards that apply to significant infrastructure such as the National Grid that mitigate effects; and • and the potential for the adverse effects to be temporary. <p>Transpower seeks amendments to the proposed Policy to address the circumstances set out above and to better give effect to Policies 2 and 5 of the NPSET and acknowledge Transpower's responsibilities under section 60 of the Civil Defence Emergency Management Act 2002.</p>	<p>Amend Policy 11.1.21 as follows:</p> <p>"Policy 11.1.21 – Locate new structures and works <u>(except regionally significant infrastructure, where its location is constrained by technical and operational requirements)</u> to:</p> <p>(a) avoid them being damaged from the adverse effects of land instability; and</p> <p>(b) avoid any increase in the adverse effects of slope instability that the structure or work may cause.</p> <p>Marlborough is characterised by steep terrain and in some locations, unstable geology. Combined with the potential for intense rainfall events, these factors create the potential for slope instability. Examples historically include rock/debris slumps, debris slides or flows, coastal erosion and tunnel gully erosion in various parts of the District. Establishing residential, commercial or industrial development or infrastructure supporting that development or linking our communities in locations prone to land instability will lead to unsustainable outcomes. This policy requires new structures and works to be located in environments that avoid adverse effects caused by land instability. It also addresses the situation of a structure or work exacerbating those adverse effects. The policy will primarily be implemented through the zoning of land and the scale/intensity of activity that the zone rules enable. However, the policy can also be applied in a resource consent context when an assessment of environmental effects for the structure or work identifies a risk of land instability. This includes subdivision undertaken to enable more intensive use of the land. A safe and stable building platform will have to be established for the subdivision of land in certain environments."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 13 Use of the Coastal Environment			
Issue 13A – Trying to identify appropriate subdivision, use and development activities in Marlborough’s coastal environment while protecting the values of the environment.			
<p>Policy 13.1.1 – Avoid adverse effects from subdivision, use and development activities on areas identified as having ..</p>	<p>Oppose</p>	<p>Transpower opposes Policy 13.1.1 because the proposed Policy fails to balance the matters of national importance in section 6 of the RMA with the national significance of the National Grid in the NPSET. Further, the Policy does not appropriately implement Objective 13.1 because it applies a blanket approach to ‘avoidance’ of the effects of all activities, rather than inappropriate subdivision use and development (as embedded in section 6 of the RMA and the NZCPS). The Policy does not recognise that there are situations where the use and development of areas with section 6 values is appropriate and consistent with the RMA.</p> <p>The National Grid will, in some locations, need to traverse areas with section 6 values due to its linear extent, technical and operational requirements. For instance, the National Grid must be located in the coastal environment in order to connect the transmission networks of the North and South Islands. This need is recognised in Policy 3 of the NPSET Policy 6(2) of the New Zealand Coastal Policy Statement 2010 (NZCPS) in relation to the coastal marine area.</p> <p>The NPSET policy approach, in Policy 8, is to “seek to avoid” areas of high natural character, rather than avoid in all instances. This Policy recognises that “avoidance” will not be possible in all situations by that best endeavours should be made to achieve this.</p> <p>In order to recognise that section 6 ‘areas’ should not be protected from all subdivision, use and development, and to give effect to the NPSET, Transpower seeks amendments to Policy 13.1.1 in order to achieve a balance between the matters of national importance in section 6 of the RMA and the national significance of the National Grid in the NPSET. This approach efficiently and effectively implements Objective 13.1 and better achieves the purpose of the RMA.</p>	<p>Amend Policy 13.1.1 as follows:</p> <p>“Policy 13.1.1 – Avoid adverse effects from <u>inappropriate</u> subdivision, use and development activities on areas identified as having:</p> <ul style="list-style-type: none"> (a) outstanding natural character; (b) outstanding natural features and/or outstanding natural landscapes; (c) significant marine biodiversity value and/or are a significant wetland; or (d) significant historic heritage value. <p>Policy 13.1.1 identifies four significant matters upon which the adverse effects of <u>inappropriate</u> activities are to be avoided. These matters are given particular direction through the principles of the RMA (Sections 6(a), (b), (c) and (f)) and through direction provided by Policies 11, 13, 15 and 17 of the NZCPS. However, it is important to acknowledge that implementing the policy does not mean that all activities are prohibited from occurring in the areas with the identified values; it simply makes clear that any adverse effects of <u>inappropriate</u> activities must be avoided in those areas, rather than being mitigated or remedied. <u>Some activities, for instance National Grid assets such as the Cook Strait Submarine Cables and connection to them, have a technical, functional or operational need to locate in the coastal environment. This is recognised by Policy 6 of the NZCPS.</u>”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Policy 13.2.2 - In addition to the values in Policy 13.2.1, the following matters shall be considered by decision makers in determining whether subdivision, use and development activities in Marlborough's coastal environment are appropriate at the location proposed and of an appropriate scale, form and design:	Support	Transpower generally supports the list of matters to be considered by decision-makers set out in Policy 13.2.2, and particularly supports clauses (a) and (g) that give weight to regionally significant infrastructure and enable a consideration of the benefits of a proposed activity.	Retain Policy 13.2.2, and particularly clauses (a) and (g) as notified.

Volume 1: 13. Use of the Coastal Environment

Issue 13F - There continues to be significant pressure for the development and/or redevelopment of a variety of coastal structures, including providing for boat access to properties within the Marlborough Sounds.

Policy 13.10.1 – Enable structures to be located within the coastal marine area where these are necessary for the purposes of assisting with navigation of ships/vessels or are temporary in nature for scientific monitoring or research purposes.	Support in part	<p>Transpower supports the general approach taken in Policy 13.10.1 to enabling certain structures in the coastal marine area, however Transpower considers that the proposed Policy fails to fully give effect to the NPSET, and particularly Policies 2 and 5, on the basis that it does not enable the National Grid (including the Cook Strait Cables) in the coastal marine area.</p> <p>The primary use of the coastal marine area within the Cable Protection Zone is the transmission of electricity and telecommunications. This existing (and on-going) use, is recognised in statute, and is of national significance under the NPSET. The potential adverse effects of submarine cables has been tested by applications for resource consent on a number of occasions and found to be minor and the use of the coastal marine area in this manner is anticipated by Policy 6(1)(a) of the NZCPS.</p> <p>For these reasons, Transpower seeks that the Cook Strait submarine cables be enabled by Policy 13.10.1.</p>	<p>Amend Policy 13.10.1 as follows:</p> <p>'Policy 13.10.1 – Enable structures to be located within the coastal marine area where these are:</p> <p><u>(a) necessary for the purposes of assisting with navigation of ships/vessels or are temporary in nature for scientific monitoring or research purposes; or</u></p> <p><u>(b) National Grid submarine cables within the Cook Strait Cable Protection Zone.</u></p> <p>For safety reasons it is important that navigational aids can be strategically located in Marlborough's coastal marine area. Monitoring equipment for scientific purposes or research is often temporary in nature and does not usually involve significant alteration or occupation of the coastal marine area. An enabling approach to these types of structures is provided for through the rules, subject to standards. <u>Transpower's Cook Strait Cables, located and protected within the Cook Strait Cable Protection Zone, are nationally significant. It is appropriate to enable the cables given the benefits derived from a safe, reliable and effective and National Grid.</u>"</p>
---	------------------------	---	---

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>Policy 13.10.10 – Coastal structures shall be required to be removed from the coastal marine area in the following circumstances: ...</p>	<p>Oppose</p>	<p>Transpower opposes Policy 13.10.10 to the extent that the proposed Policy fails to contemplate a scenario where the removal of a structure in the coastal marine area may be impractical and may have adverse effects. For instance, the removal of a submarine cable presents substantial challenges and may result in adverse effects resulting from the disturbance of the seabed. Transpower seeks that the proposed Policy be amended to address this scenario.</p>	<p>Amend Policy 13.10.10 as follows: "Policy 13.10.10 – Coastal structures shall may be required to be removed from the coastal marine area in the following circumstances: (a) where there is no longer a need for the structure; (b) when a coastal permit for a structure expires and no new permit has been sought; or (c) where consent to authorise an existing structure is refused.</p> <p>There may be circumstances where coastal structures are no longer required or are not granted new resource consents in terms of (b) or (c). Where this is the case it is appropriate for the structure to be removed from the coastal marine area. This will help to achieve Policy 6(2)(e) of the NZCPS by promoting the efficient use of the coastal marine area. This policy will be achieved through conditions imposed on resource consents granted. <u>There are circumstances where the removal of structures in the coastal marine area is not preferred because the removal may not be practicable or the potential adverse effect of the removal may be significant."</u></p>

Volume 1: 13. Use of the Coastal Environment

Issue 13G - Disturbance of the foreshore and seabed through reclamation, dredging, drainage, deposition or other activities can have adverse and irreversible effects on values of the coastal environment.

<p>Objective 13.13 – The effects of disturbance to the foreshore or seabed not provided for elsewhere are appropriately managed.</p>	<p>Support</p>	<p>Transpower supports Objective 13.13, and the Policies that implement the proposed Objective, because these provisions appropriately provide for the disturbance of the foreshore and seabed associated with the maintenance, upgrade and development of Transpower's Cook Strait submarine cables in a way that gives effect to the NPSET.</p>	<p>Retain Objective 13.13, and associated Policies, as notified.</p>
--	-----------------------	---	---

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: Use of the Rural Environment			
Issue 14A - Safeguarding the potential of Marlborough's rural resources for primary production.			
Policy 14.1.3 – Activities and buildings in rural environments should be linked to land-based primary production of Marlborough's rural resources and require a rural location.	Oppose	Transpower opposes Policy 14.1.3 to the extent that the proposed Policy may have the effect of inadvertently prioritising primary production over the nationally significant National Grid in a way that has the potential to compromise its on-going development. While Transpower acknowledge the purpose of the proposed Policy, amendments are sought to confirm that it is appropriate and necessary for non-primary production activities to be located in the rural environment.	Amend Policy 14.1.3 as follows: "Policy 14.1.3 – Activities and buildings in rural environments should be linked to land-based primary production of Marlborough's rural resources and or require a rural location. Policy 14.1.3 aims to ensure that the potential of rural environments for primary production options is not compromised by activities and/or buildings that do not need to be located within <u>traverse (such as linear infrastructure)</u> or have an association with rural environments, or which do not rely on the use of rural resources. While a wide range of activities are provided for within rural environments, their establishment will not be allowed to occur in a manner that threatens the sustainable and economic use of rural environments. The safeguarding of rural environments for activities that genuinely require a rural location will ensure that opportunities remain available for accommodating these activities."
Volume 1: 15. Resource Quality (Water, Air, Soil)			
Issue15C - The mauri of wai (water) has been degraded due to the lack of understanding about its spiritual significance.			
Policy 15.1.11 – When considering any discharge permit application for the discharge of contaminants to water, regard will be had to ..	Support in part	Transpower supports Policy 15.1.11(c) because the proposed Policy enables a considering of whether a discharge is associated with necessary maintenance work for any regionally significant infrastructure in a manner that is consistent with Policy 5 of the NPSET. Transpower considers that they proposed Policy should be expanded to also address the operation, upgrade and development of the National Grid in order to give effect to Policies 2 and 5 of the NPSET.	Amend Policy 15.1.11(c) as follows: "Policy 15.1.11 – When considering any discharge permit application for the discharge of contaminants to water, regard will be had to: (a) the potential adverse effects of the discharge on spiritual and cultural values of Marlborough's tangata whenua iwi; (b) the extent to which contaminants present in the discharge have been removed or reduced through treatment; and (c) whether the discharge is of a temporary or short term nature and/or whether the discharge is associated with necessary maintenance work for any regionally significant infrastructure."

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 1: 15. Resource Quality (Water, Air, Soil)			
Issue 15F – Some land use activities or practices have the potential to adversely affect soil quality.			
Policy 15.4.4 – In considering any land use consent application to undertake land disturbance, regard shall be had to: ..	Support in part	Transpower generally supports Policy 15.4.4, and particularly clause (g) that recognises need for land disturbance in relation to regionally significant infrastructure. However, Transpower seeks limited amendments to the proposed Policy to also recognise the impact of land disturbance activities on the National Grid in order to give effect to Policy 10 of the NPSET and be consistent with the mandatory restrictions on land disturbance in the vicinity of the National Grid established by NZECP34:2001.	<p>Amend Policy 15.4.4 as follows:</p> <p>“Policy 15.4.4 – In considering any land use consent application to undertake land disturbance, regard shall be had to:</p> <p>...</p> <p>(f) any potential adverse effects on community water supplies; and</p> <p>(g) whether the land disturbance is necessary for the operation or maintenance of regionally significant infrastructure; and</p> <p><u>(x) the proximity to, and potential impacts on, the National Grid.</u></p> <p>...”</p>
Volume 1: 18 Energy			
Issue 18A – Marlborough requires a secure and efficient supply of energy.			
Issue 18A – Marlborough requires a secure and efficient supply of energy. Explanatory text	Support in part	Transpower supports the explanatory text to Issue 18A that sets out the importance of a reliable electricity supply, and its accompanying infrastructure, including the implications of supply interruptions. The proposed Issue seeks a resilient and diverse means of energy transmission in Marlborough. That said, Transpower considers that amendments to the PMEP are required in order to deliver the resilient and diverse network sought. These amendments are set out in this submission.	<p>Retain the explanatory text in Issue 18A and make amendments to the PMEP address the issues set out in 18A.</p> <p>Amend the first paragraph in the explanatory text as follows: “ ... electricity demand is satisfied from the Naational Ggrid, which runs through Marlborough.”</p>
Policy 18.1.1 – Promote and encourage the use and development of renewable energy resources.	Support in part	Transpower seeks a minor amendment to the explanation to Policy 18.1.1 to use the correct and consistent terminology for the National Grid.	Amend Policy 18.1.1 as follows: “ ... improving the security of supply and reducing stress on the National Electricity -Grid.”

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2:1. Introduction			
Activity Status	Oppose	<p>Transpower strongly opposes the indication, given in the Introduction to Volume 2, that non-complying activity status is not being used in the PMEP. Transpower considers that not including non-complying activities in the PMEP in respect of activities in the vicinity of the National Grid fails to appropriately give effect to the NPSET.</p> <p>Policy 10 and Policy 11 provide a clear direction in relation to the way in which activities in the vicinity of the National Grid must be managed. Policy 10 requires decision-makers to “manage activities to avoid reverse sensitivity effects” on the National Grid and to “ensure” that the National Grid is not compromised. Policy 11 requires local authorities 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”.</p> <p>In order to give effect to Policies 10 and 11 of the NPSET, the provisions in the PMEP must clearly reflect the direction given in these Policies. The most appropriate, efficient and effective way to do this is by setting out a range non-complying activities, when in the vicinity of the National Grid, throughout the PMEP. In this regard it is noted that the Section 32 Reports do not give consideration to the appropriateness of PMEP provisions (including rules and activity status) in achieving the “avoid”, “ensure” and “generally not be provided for” components of Policies 10 and 11.</p> <p>Transpower considers that non-complying activity status for specific activities in the vicinity of the National Grid:</p> <ul style="list-style-type: none"> • enables the ‘testing’ of a proposed activity under section 104D of the RMA; • is the most appropriate, efficient and effective way to give effect to the NPSET; • continues to provide a consent pathway for activities that may have an extraordinary need to 	Amend the Rules throughout Volume 2 to include non-complying activities in a manner that gives effect to Policies 10 and 11 of the NPSET.

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>locate near the National Grid, when compared to prohibited activities; and</p> <ul style="list-style-type: none"> • better achieves the purpose of the RMA. 	
Structure of Volume 2	Support in part	<p>Transpower generally supports the direction given in the Introduction to Volume 2 in respect of how the rules in the plan apply. However, Transpower has a general concern that the direction is not sufficiently clear in terms of the relations between the General Rules and Zone-based Rules such that activities associated with utilities may be controlled by both suites of Rules. Further, Transpower considers that there is similar confusion in terms of the relationship between the utilities rules and other general rules (particularly as they relate to regional plan matters).</p> <p>It is suggested that a consistent approach is taken whereby the utilities rules act as a standalone suite of provisions for district plan matters, and that the zone rules do not apply, while the general rules apply in relation to regional plan matters and the zone rules apply in the coastal marine area. Transpower's submission is made on this basis.</p>	Amend the direction given in the Introduction to Volume 2 to clarify the relationship between, and within the General Rules and the Zone-based Rules as they relate to utilities.
Volume 2: 2. General Rules			
Water Take, Use, Damming or Diversion			
2.2. Permitted Activities Rule 2.2.12 Take of water for dewatering of a trench.	Support	Transpower supports Rule 2.2.12 because the proposed Rule appropriately provides for the taking of water for dewatering a trench as a permitted activity.	Retain Rule 2.2.12 as notified.
2.2 Permitted Activities	Oppose	Transpower opposes the Rules in 2.2 because the proposed Rules fail to consider water take, use, damming or diversion that might be necessary for the operation, maintenance, upgrade and development of the National Grid in a manner that gives effect to the NPSET. Transpower seeks the inclusion of a new permitted activity rule and associated standards to achieve this.	<p>Insert the following additional Rule in 2.2 Permitted Activities:</p> <p><u>"[R] Take, use, damming and diversion of water for the operation, maintenance, upgrade and development of the National Grid."</u></p> <p>As a consequence, amend 2.3 Standards that apply to specific permitted activities as follows:</p> <p><u>"Take, use, damming and diversion of water for the</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>operation, maintenance, upgrade and development of the National Grid.</u></p> <p><u>2.3.x.1. Where the take is from a river, except an ephemeral flowing river, the instantaneous take rate must not exceed 5% of river flow at any time.</u></p> <p><u>2.3.x.2. The take must not be from a Water Resource Unit with a Natural State water quality classification, or a Significant Wetland.</u></p> <p><u>2.3.x.3 The take or damming must not be otherwise provided for by a permitted activity or a resource consent."</u></p>
<p>2.3 Standards that apply to specific permitted activities.</p> <p>2.3.11 Take of water for dewatering a trench.</p>	Support in part	<p>Transpower generally supports the Standards in 2.3.11, but seeks a minor amendment to clarify that the proposed Standard applies to the development and upgrading of utilities. 'Infrastructure' is not defined in the PMEPE, and therefore it is considered appropriate, and less ambiguous, to clearly reference utilities in the proposed Standard.</p>	<p>Amend Standard 2.3.11.2 as follows:</p> <p>"2.3.11.2. The take must relate to a temporary trench excavated for the purposes of the installation or maintenance, <u>upgrade or development</u> of <u>utilities or</u> infrastructure."</p>
<p>Volume 2: 2. General Rules</p> <p>Activity In, On, Over or Under the Bed of a Lake or River</p>			
<p>2.7. Permitted Activities</p> <p>Rule 2.7.2 Protection works in, on or over the bed of a lake or river for existing structures.</p>	Support in part	<p>Transpower supports Rule 2.7.2 on the basis that from time-to-time Transpower may need to undertake works to protect the National Grid (for instance tower foundation strengthening). However, Transpower considers that the proposed Rule should clearly establish that utilities are similarly permitted.</p>	<p>Amend Rule 2.7.2 as follows:</p> <p>"2.7.2 Protection works in, on or over the bed of a lake or river for existing <u>utilities or</u> structures."</p>
<p>2.7 Permitted Activities</p> <p>Rule 2.7.5. Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</p>	Support in part	<p>Transpower supports the permissive approach taken, in Rule 2.7.5, to structures in, on, under, or over the bed of an ephemeral river. However, Transpower considers that the proposed Rule should clearly establish that utilities (including upgrades that aren't provided for by Rule 2.7.8) are similarly permitted.</p>	<p>Amend Rule 2.7.5 as follows:</p> <p>"2.7.5. Construction or placement of a new structure <u>or utility</u> in, on, under, or over the bed of an ephemeral river."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
2.7. Permitted Activities 2.7.7. Culvert installation in, on, under or over the bed of a river.	Support	Transpower supports Rule 2.7.7 because the proposed Rule enables the installation of culverts that may be required to gain access to the National Grid in a manner that is consistent with the NPSET.	Retain Rule 2.7.7 as notified.
2.7. Permitted Activities Rule 2.7.8. Minor upgrading in, on, or under the bed of a lake or river of the following utilities: (a) transmission line existing at 9 June 2016; ...	Support in part	Transpower supports Rule 2.7.8 to the extent that the proposed Rule enables minor upgrading of transmission lines in some circumstances. However, Transpower considers that the proposed Rule is unduly constrained to existing transmission lines, and to minor upgrading, and as such: <ul style="list-style-type: none"> • inappropriately duplicates activities that are provided for by the NESETA (and the direction given by section 44A of the RMA); • does not provide for the operation, maintenance, replacement and upgrading of National Grid (including communications cables) that may be built over the life of the PMEP in a manner that gives effect to Policies 2 and 5 of the NPSET. Transpower therefore seeks that reference to '9 June 2016' be deleted and an expansion of the proposed Rule to address the operation and maintenance of the National Grid.	Amend Rule 2.7.8 as follows: "2.7.8. Operation, maintenance, replacement and m Minor upgrading in, on , or under the bed of a lake or river of the following utilities: (a) National Grid transmission line and associated cable existing at 9 June 2016; ... "
2.8. Standards that apply to all permitted activities	Support in part	Transpower supports the Standards in 2.8 because the proposed Standards appropriately manage the potential adverse effects of the associated permitted activities.	Retain the Standards in 2.8 as notified.
2.9 Standards that apply to specific permitted activities 2.9.2. Protection works in, on or over the bed of a lake or river for existing structures.	Support in part	Transpower generally supports the Standards in 2.9.2, subject to a limited amendment to reflect the relief sought by Transpower in relation to Rule 2.7.2.	Amend the heading for Standard 2.9.2 as follows: "2.9.2 Protection works in, on or over the bed of a lake or river for existing <u>utilities or</u> structures."

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>2.9 Standards that apply to specific permitted activities</p> <p>2.9.5. Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 2.9.5, subject to a limited amendment to reflect the relief sought by Transpower in relation to Rule 2.7.5.</p>	<p>Amend the heading for Standard 2.9.5 as follows: “2.9.5. Construction or placement of a new structure <u>or utility</u> in, on, under, or over the bed of an ephemeral river.”</p>
<p>2.9 Standards that apply to specific permitted activities</p> <p>2.9.7. Culvert installation in, on, under or over the bed of a river.</p>	<p>Support</p>	<p>Transpower supports the Standards in 2.9.7 because the proposed Standards appropriate manage the potential adverse effects the installation of a culvert in the bed of a river.</p>	<p>Retain the Standards in 2.9.7 as notified.</p>
<p>2.9 Standards that apply to specific permitted activities</p> <p>2.9.8. Minor upgrading in, on, or under the bed of a lake or river of the following utilities: (a) transmission line existing at 9 June 2016; ...</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 2.9.8, subject to limited amendments to reflect the relief sought by Transpower in relation to Rule 2.7.8 and also to be consistent with the similar Standards in 2.9.1.</p>	<p>Amend the Standards in 2.9.8 as follows: “2.9.8. <u>Operation, maintenance, replacement and m</u>Minor upgrading in, on , or under the bed of a lake or river of the following utilities: (ea) <u>National Grid transmission line and associated cables existing at 9 June 2016; ...</u></p> <p>2.9.8.1. The utility must have been lawfully established.</p> <p>2.9.8.2 The activity must not increase the plan or cross-sectional area of the utility by any more than 5% of the original utility, <u>except that this Standard does not apply to works that do not affect the hydraulic efficiency of the river, such as poles and lattice towers.</u></p> <p>2.9.8.3 There must be no significant change to the external appearance of the utility. <u>Painting a structure is not a significant change for the purposes of this Standard.</u></p> <p>2.9.8.4 No greater than 10% of the cross-sectional area of the bed of a lake or river must be disturbed.”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 2. General Rules			
Drainage Channel Network Activity			
2.13 Standards that apply to all permitted activities.	Oppose	Transpower opposes the Standards in 2.13.1 because they do not contemplate the potential adverse effects of drainage channel network activity, including rock or gabion protection works, land disturbance and vegetation planting. Transpower therefore seeks the inclusion of a further standard in 2.13 in order to give effect to Policy 10 of the NPSET.	<p>Amend the Standards in 2.13.1 to include the following:</p> <p><u>"2.13.1.x Within the National Grid Yard:</u></p> <p style="padding-left: 20px;"><u>(a) the activity, and associated works must maintain compliance with the New Zealand Electrical Code of Practice (NZECP34:2001) at all times;</u></p> <p style="padding-left: 20px;"><u>and</u></p> <p style="padding-left: 20px;"><u>(b) vegetation planting shall be undertaken to ensure that plants are selected and managed to achieve compliance with the Electricity (Hazards from Trees) Regulations 2003."</u></p> <p>As a consequence amend the rules that apply to 'Drainage Channel Network Activity' to include the following new non-comply activity:</p> <p><u>"2.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[R, D]</u></p> <p><u>2.x.1 Any activity that does not meet Standard 2.13.1.x."</u></p>
Volume 2: 2. General Rules			
Discharges to Air			
Introduction	Support in part	<p>Transpower generally supports the intent of the provisions that provide for the application of an agrichemical within roads and rail corridors but seeks that the provisions be expanded to similarly apply to the National Grid on the basis that:</p> <ul style="list-style-type: none"> • the National Grid is nationally significant infrastructure that shares the same linear infrastructure characteristics as road and rail corridor; • in some circumstances Transpower manages vegetation within the National Grid corridor by the use of an agrichemical; 	<p>Amend the introduction to 'Discharges to Air' as follows:</p> <p>"These activities apply to <u>the National Grid</u>, roads and railway corridors identified on the zoning maps".</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<ul style="list-style-type: none"> Chapter 15, and its accompanying Section 32 Report do not provide a clear rationale for confining these provision to road and rail corridors; and such an approach better give effect to the NPSET by providing for the on-going operation and maintenance of the National Grid. 	
Volume 2: 2. General Rules Notable Trees			
2.28. Permitted Activities Rule 2.28.3. Emergency Works to a Notable Tree	Support	<p>Transpower supports Rule 2.28.3 on the basis that the proposed Rule provides for emergency works in a manner that is consistent with Transpower's legal obligations under clause 14(1) of the Electricity (Hazards from Trees) Regulations 2003 that states the following:</p> <p>"14 Obligation to remove danger to persons or property from trees damaging conductors</p> <p><i>(1) A works owner must, without delay, undertake any work in relation to a tree (including the roots of that tree) if the works owner becomes aware that there is immediate danger to persons or property from a conductor because—</i></p> <p><i>(a) the tree has come into contact with, or constitutes a serious hazard to, that conductor; or</i></p> <p><i>(b) the tree has caused damage to that conductor and is likely to cause further damage to that conductor."</i></p> <p>Transpower also considers that Rule 2.28.3 is complementary to Regulation 30(1) of the NESETA and how this Regulation would apply in relation such emergency works in the vicinity of an existing transmission line.</p>	Retain Rule 2.28.3 as notified.

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
2.29. Standards that apply to specific permitted activities 2.29.3 Emergency works to a Notable Tree	Support	Transpower supports the Standards in 2.29.3 because these standards are generally consistent with the approach taken to trees that are a danger to the National Grid under clause n14(1) of the Electricity (Hazards from Trees) Regulations 2003.	Retain the Standards in Rule 2.29.3 as notified.
Notable Trees	Oppose	<p>Transpower opposes the rules that apply to Notable Trees because the proposed rules do not specifically provide for more than minor trimming or pruning and the removal of trees that may be necessary for the safe and efficient operation, maintenance, upgrading and development of the National Grid, including trimming that may be required by the Electricity (Hazards from Trees) Regulations 2003.</p> <p>Transpower therefore supports the inclusion of a further restricted discretionary activity that provides for such activities and considers that such an approach:</p> <ul style="list-style-type: none"> • is consistent with the most stringent activity status that applies to the trimming, felling or removal of any tree or vegetation under Regulation 32 of the NESETA; • enables a case-by-case assessment against a suite of 'matters over which the Council has restricted its discretion; and • better gives effect to the NPSET by providing for the operation, maintenance, upgrading and development of the National Grid. 	<p>Amend the Rules for Notable Trees by including the following new restricted discretionary activity:</p> <p><u>“2.x Restricted Discretionary Activities</u> <u>Application must be made for a Restricted Discretionary Activity for the following:</u> <u>[D]</u> <u>2.x.1. Trimming, pruning or felling of a Notable Tree associated with the operation, maintenance, upgrade or development of the National Grid that is not provided for as a permitted activity.</u></p> <p><i><u>Matters over which the Council has restricted its discretion:</u></i></p> <p><u>2.x.1.1. Where a Notable Tree is trimmed or pruned, the impact on the health, integrity and values that make the tree significant.</u></p> <p><u>2.x.1.2. Impact on landscape, ecological, cultural, heritage and amenity values.</u></p> <p><u>2.x.1.3. Whether any replanting is proposed.</u></p> <p><u>2.x.1.4 The benefit of the work to the safety and efficiency of the National Grid.”</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 2. General Rules Signage			
2.34. Permitted Activities 2.34.7. Sign displayed on a utility site, or public park or reserve.	Support in part	Transpower supports Rule 2.34.7 to the extent that the proposed Rule provides for signs for utilities. However, Transpower is concerned that the term 'utility site' is undefined and potentially confusing to the extent that it may only apply to site, or land, owned by a utility provider. In the case of Transpower, this ambiguity could mean that signs relating to transmission line support structures and conductors may not be provided for by the proposed Rule. Transpower therefore seeks limited amendments to Rule 2.34.7 to clarify that the Rule applies to sign in relation to utilities in a more general manner.	Amend Rule 2.34.7 as follows: "2.34.7. Sign displayed on a <u>utility</u> , utility site, or public park or reserve."
2.35. Standards that apply to all permitted activities	Oppose	Transpower opposes the Standards in 2.35 because the proposed Standards do no control signs in the vicinity of the National Grid. Signs (and particularly the structures than support signs) may have an adverse effect on the operation, maintenance, upgrade and development of the National Grid if they are located in close proximity to the National Grid or prevent access to the National Grid. In this regard, Transpower notes that 'signs' are not defined in the PMEP and therefore assumes that signs would include any supporting structure. Transpower therefore seeks the inclusion of a further standard in 2.35 to particularly address signs in the vicinity of the National Grid in a manner that give effect to Policy 10 of the NPSET.	Amend the Standards in 2.35 to including the following additional standard: <u>"2.35.1.x. A sign (except for signs associated with the National Grid) exceeding 2.5m in height: (a) must not be located within the National Grid Yard; and (b) must not restrict or prevent access to the National Grid."</u> As a consequence amend the rules that apply to 'Signage' to include the following new non-comply activity: <u>"2.x Non-Complying Activities Application must be made for a Non-Complying Activity for the following: [D] 2.x.1 Any activity that does not meet Standard 2.35.1.x."</u>
2.36. Standards that apply to specific permitted activities 2.36.6 Sign displayed on a utility site, or public park or reserve.	Support in part	Transpower supports the Standards in 2.36.6, subject to a limited amendment to reflect the relief sought by Transpower in relation to Rule 2.34.7. The proposed Standards appropriately provide for the protection of utilities, and the health and safety of people and communities.	Amend the heading of Standard 2.36.6 as follows: "2.36.6. Sign displayed on a <u>utility</u> , utility site, or public park or reserve."

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 2. General Rules			
Network Utilities			
Network Utilities	Oppose	<p>Transpower generally opposes the 'Network Utilities' provisions because:</p> <ul style="list-style-type: none"> the rules do not give effect to Policies 2 and 5 of the NPSET in terms of providing for the National Grid; the rules do not manage the effects of the National Grid in manner that gives effect to Policies 3, 4, 7 and 8 of the NPSET; the rules do not reflect the approach taken to managing effects in the NESETA; the rules do not provide an efficient and effective approach to network utilities activities (including in distinguishing between the various section 30 and 31 of the RMA functions of the Council. 	Amend the 'Network Utilities' provisions and other related provisions in a manner that addresses the matters raised in this submission.
Network Utilities - Introduction	Oppose	<p>Transpower opposes the Introduction to 'Network Utilities' to the extent that the Introduction does not clearly establish which rules included elsewhere in the PMEP apply to utilities, and which do not.</p> <p>Transpower is concerned that there is considerable ambiguity and potential inconsistencies associated with the approach taken. For instance, there are circumstances where a utility activity would require consent for the same activity under the Utility Rules and also other General Rules. Similarly, a utility structure may require consent as a building or structure under the Zone Rules as well as under the Utility Rules. One example is in relation to vegetation clearance, where some vegetation clearance is provided for in the 'Network Utilities' rules (2.38.6), while other vegetation clearance is provided for in the zone chapters (2.39.1.13).</p> <p>Transpower seeks that the introduction to the 'Network Utilities' Rules clearly sets out an approach that eliminates any potential of duplication and inconsistency.</p>	Amend the introduction to the 'Network Utility' provisions to provide clear direction in relation to the way in which the PMEP provisions apply to network utility activities and particularly to structure the provisions to apply, insofar as is practical, as a standalone suite of provisions.

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		It is suggested that a consistent approach is taken whereby the utilities rules act as a standalone suite of provisions for district plan matters, and that the zone rules do not apply, while the general rules apply in relation to regional plan matters and the zone rules apply in the coastal marine area.	
Network Utilities - Introduction	Oppose	Transpower opposes the introduction to 'Network Utilities' to the extent that this section of the PMEP does not provide any direction in terms of the relationship between the PMEP and the NESETA. In order to be consistent with the direction given by section 44A of the RMA it is necessary for the PMEP to confirm how, and when, the NESETA applies and prevails. It is noted that provisions are still required in the PMEP to provide for any transmission lines that may be constructed in the future that do not benefit from the NESETA. Similarly there are some Regulations in the NESETA that defer to the district plan to, amongst other matters, establish activity status.	Amend the introduction to the 'Network Utility' provisions to include the following: <u>"Notwithstanding any other rules in the Marlborough Environment Plan, the requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities "NESETA") Regulations 2009 apply to the operation, maintenance, upgrading, relocation or removal of National Grid 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 with any other provision of the Marlborough Environment Plan, including any provision in this section, the NESETA Regulations shall prevail."</u>
2.38. Permitted Activities Rule 2.38.1. Network utility infrastructure listed as follows: (a) an electricity line or facility; (b) a telecommunication line or facility; ...	Support in part	Transpower generally supports Rule 2.38.1, but is concerned that the Rule is notated as being a regional plan and district plan rule, but not a regional coastal plan rule. The reason for this concern is that if Transpower were to seek a designation for a new transmission line or substation, the regional rule would also apply to the extent that the whole of the activity (for which the designation is sought) would also potentially require a regional land use consent, rather than consent for those activities directly related to Council's section 30 functions. Transpower considers that the rules for network utilities need to be unbundled in a manner that reduces unnecessary ambiguity and regulation. In this regard it is suggested that Rule 2.38.1 be 'split' into a regional plan rule, a district plan rule and also potentially a regional coastal plan rule (that provides for, for example, Transpower's submarine cables, and the on-going operation of the HVDC overhead transmission line in areas where it traverses the coastal marine area). This approach is	Amend Rule 2.38.1 to clearly distinguish regional plan and district plan provisions. Similarly amend Rule 2.38.1 to also provide for distinct regional coastal plan provisions. As a consequence, also amend other provisions in the PMEP (where they are relevant to network utilities) that take a similar approach to clearly unbundle to align with district and regional functions, and amend Rule 2.38.1 as follows: "2.38.1 Network utility infrastructure listed as follows: (x) <u>National Grid transmission lines, substations, telecommunications cables and associated access tracks.</u> (a) an electricity <u>distribution</u> line or facility; (b) a telecommunication line or facility; ..."

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>necessary to give effect to Policies 2 and 5 of the NPSET. Transpower seeks that a similar approach also be taken in relation to other relevant rules, for instance vegetation clearance cultivation and excavation.</p> <p>Further, Transpower seeks amendments to Rule 2.38.1 to clearly link the Rule to definitions in the PMEP and to reflect Transpower's assets and activities (including those provided for by the NESETA).</p>	
<p>2.38. Permitted Activities Rule 2.38.2. Telecommunications line or cable over the bed of a lake or river.</p>	<p>Support in part</p>	<p>Transpower supports Rule 2.38, that provides both a district plan and regional plan rule for telecommunications lines over the bed of a lake or river, to the extent that the proposed Rule would encompass elements of Transpower's telecommunications network. However, Transpower considers that this rule is potentially confusing and overly confined as follows:</p> <ul style="list-style-type: none"> • it is not clear why Rule 2.38.2 applies to telecommunications only, and not electricity transmission; • it is not clear why Rule 2.38.2 is distinct from the Rules in 2.7 (and as such addressing lines in, on and under the bed of lakes and rivers); • it is not clear why Rule 2.38.2 is also a district plan rule. <p>Transpower seeks that the rules relating cables that traverse the bed of a lake or river:</p> <ul style="list-style-type: none"> • apply to the National Grid in a manner that gives effect to Policies 2 and 5 of the NPSET; and • are rationalised and consolidated in either 2.38 or 2.7. 	<p>Amend Rule 2.38.2 as follows: “[R, D] 2.38.2. Telecommunications <u>and National Grid lines</u> or cables <u>in, on, under or over the bed of a lake or river.</u>”</p>
<p>2.38. Permitted Activities Rule 2.38.4. Maintenance and replacement of the following network utilities existing at 9</p>	<p>Support in part</p>	<p>Transpower supports, in general, Rule 2.38.4 but considers that the proposed Rule is unduly constrained to existing transmission lines and as such inappropriately duplicates activities that are provided for by the NESETA (and the direction given by section 44A of the RMA). Transpower therefore seeks that reference to '9 June 2016' be deleted.</p>	<p>Amend Rule 2.38.4 as follows: “2.38.4. Maintenance and replacement of the following network utilities existing at 9 June 2016: <u>(x) National Grid transmission lines, substations, telecommunications cables and associated access tracks.</u>”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
June 2016: (a) an electricity line or facility; (b) a telecommunication line or facility; ...		Further, Transpower seeks amendments to Rule 2.38.4 to clearly link the Rule to definitions in the PMEPP and to reflect Transpower's assets and activities (including those provided for by the NESETA). As a final matter Transpower notes that the definition of 'maintenance and replacement' contains many similarities with the definition of 'minor upgrading'. Transpower's submission on these definitions seeks that the definitions be distinguished and clarified.	(a) an electricity <u>distribution</u> line or facility; (b) a telecommunication line or facility; ..."
2.38. Permitted Activities Rule 2.38.5. Minor upgrading of the following network utilities existing at 9 June 2016: (a) an electricity line or facility; (b) a telecommunication line or facility; ...	Support in part	Transpower supports, in general, Rule 2.38.5 but considers that the proposed Rule is unduly constrained to existing transmission lines and as such inappropriately duplicates activities that are provided for by the NESETA (and the direction given by section 44A of the RMA). Transpower therefore seeks that reference to '9 June 2016' be deleted. Further, Transpower seeks amendments to Rule 2.38.5 to clearly link the Rule to definitions in the PMEPP and to reflect the Transpower's assets and activities (including those provided for by the NESETA). As a final matter Transpower notes that the definition of 'maintenance and replacement' contains many similarities with the definition of 'minor upgrading'. Transpower's submission on these definitions seeks that the definitions be distinguished and clarified.	Amend Rule 2.38.5 as follows: "2.38.5. Minor upgrading of the following network utilities existing at 9 June 2016 : (x) <u>National Grid transmission lines, substations, telecommunications cables and associated access tracks.</u> (a) an electricity <u>distribution</u> line or facility; (b) a telecommunication line or facility; ..."
2.38 Permitted Activities Rule 2.38.6. Vegetation trimming or clearance associated with the maintenance, replacement and minor upgrading of a network utility existing at 9 June 2016.	Support in part	Transpower generally supports Rule 2.38.6 to the extent that it provides for vegetation clearance for the maintenance, replacement and minor upgrading of utilities, but seeks that the Rule: <ul style="list-style-type: none">• be amended to similarly provide a regional plan rule for vegetation clearance;• explicitly include access tracks associated with utilities;• does not include a reference to a specific date; and• includes an explicit statement that confirms that no other rules apply to vegetation clearance for maintenance, replacement and minor upgrading.	Amend Rule 2.38.6 as follows: "2.38.6. Vegetation trimming or clearance associated with the maintenance, replacement and minor upgrading of a network utility <u>including their associated access tracks existing at 9 June 2016. No other rules in the Marlborough Environment Plan apply.</u> "

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
2.38 Permitted Activities	Oppose	Transpower seeks the inclusion of a further rule in 2.38 that provides for network utilities and associated earthworks within the National Grid Yard in order to appropriately give effect to Policy 10 of the NPSET.	<p>Amend the Rules in 2.38 to include the following:</p> <p>“<u>[D]</u> <u>2.38.x Network utilities within the National Grid Yard.</u>”</p> <p>As a consequence, amend the Standards in 2.39 to include the following:</p> <p>“<u>2.39.x. Network utilities within the National Grid Yard</u> <u>2.39.x.1 The reticulation and storage of water for irrigation purposes shall not be located within the National Grid Yard.</u> <u>2.39.x.2 Utility buildings and structures shall comply with NZECP34:2001.</u>”</p> <p>As a consequence amend the rules that apply to ‘Network Utilities’ to include the following new non-comply activity:</p> <p>“<u>2.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>2.x.1 Any activity that does not meet Standard 2.39.x.1 or 2.39.x.2.</u>”</p>
2.39. Standards that apply to specific permitted activities 2.39.1 Network utility infrastructure listed as follows: (a) an electricity line or facility; (b) a telecommunication line or facility; ... Standard 2.39.1.9	Oppose	Transpower opposes the Standard in 2.39.1.9 that requires new lines to be located underground in various zones insofar as the proposed Rule relates to the National Grid because requiring undergrounding of lines is contrary to the NPSET, inconsistent with the NESETA and is inefficient in terms of the associated costs and benefits. Transpower seeks the inclusion of a specific exclusion for the National Grid in order give effect to Policy 2 of the NPSET.	<p>Amend Standard 2.39.1.9 as follows:</p> <p>“2.39.1.9 A new line (<u>excluding a National Grid transmission line</u>), including a cable television line, must be located underground within any land zoned Urban Residential 1, Urban Residential 2 (including Greenfields), Urban Residential 3, Business 1, Business 2, Industrial 1, Industrial 2, Open Space 1 or Open Space 2.”</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>2.39. Standards that apply to specific permitted activities</p> <p>2.39.1 Network utility infrastructure listed as follows:</p> <p>(a) an electricity line or facility;</p> <p>(b) a telecommunication line or facility; ...</p> <p>Standard 2.39.1.14</p>	<p>Oppose</p>	<p>Transpower opposes the Standards in 2.39.1.14 to the extent that the standards are contrary to the NPSET and do not reflect the linear nature of many network utilities (including the National Grid). Within Marlborough the National Grid necessarily crosses a number of rivers and proposed significant wetlands and any new National Grid infrastructure would likely need to do the same. Transpower is particularly concerned that the proposed Rule:</p> <ul style="list-style-type: none"> • there is no rationale for the 8 metre separation distance applied to all rivers and significant wetlands; • creates a potential conflict with Rule 2.38.2; • is uncertain and inappropriate, particularly in relation to farm airstrips (that are not identified on planning maps and could encompass any farmland that meets Civil Aviation Authority of New Zealand guidelines whether or not it is used on a regular, or even intermittent basis); • does not provide for the technical, operational or locational requirements of the National Grid as required by Policy 3 of the NPSET; and • inappropriately prioritises farm airstrips over the national significance of the National Grid. 	<p>Delete Standard 2.39.1.14 in its entirety.</p>
<p>Volume 2: 2. General Rules</p> <p>Temporary Military Training Activity</p>			
<p>2.42. Standards that apply to specific permitted activities.</p> <p>2.42.1 Temporary military training activity.</p>	<p>Oppose</p>	<p>Transpower opposes the Standards in 2.42.1 because they do not contemplate the potential adverse effects of temporary military training activities on the National Grid, and particularly the use of explosives and temporary structures. Transpower therefore seeks the inclusion of a further standard in 2.42.1 in order to give effect to Policy 10 of the NPSET.</p>	<p>Amend the Standards in 2.42.1 to include the following:</p> <p><u>“2.42.1.x Within the National Grid Yard:</u></p> <p><u>(a) buildings, temporary structures and activities must meet the safe electrical clearance distances set out in the New Zealand Electrical Code of Practice (NZECP34:2001); and</u></p> <p><u>(b) no explosives may be used.”</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 3. Rural Environment Zone			
<p>3.1. Permitted Activities</p> <p>3.2. Standards that apply to all permitted activities (3.2.1.17 and 3.2.1.18)</p> <p>3.3 Standards that apply to specific permitted activities.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the National Grid in 3.2, in particular, Standards 3.2.1.17 and 3.2.1.18. However, Transpower is concerned that the Rule and Standards included in the PMEP do not give effect to Policy 11 of the NPSET because they only address buildings and structures in the vicinity of the National Grid and do not address 'activities' in the vicinity of the National Grid. Policy 11 of the NPSET required local authorities "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 resource consents". Further, the standards only apply to permitted activities and do not explicitly manage controlled, restricted discretionary and discretionary activities within the National Grid Yard.</p> <p>In order to appropriately give effect to the NPSET, Transpower seeks the replacement of Standards 3.2.1.17 and 3.2.1.18 with a standalone permitted activity rule accompanied by a 'default' to non-complying activity status. Non-complying activity status is the most appropriate, efficient and effective way to give effect to the clear direction established in Policies 10 and 11 of the NPSET.</p>	<p>Delete Standards 3.2.1.17 and 3.2.1.18 and insert the following new Rule in 3.1:</p> <p><u>"3.1.x Buildings, structures and activities within the National Grid Yard."</u></p> <p>Insert the new Standards in 3.3:</p> <p><u>"3.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>3.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>3.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height; or</u></p> <p><u>(b) an uninhabited farm or horticultural structure or building (except where they are commercial greenhouses, wintering barns, produce packing facilities, milking/dairy sheds, structures associated with the reticulation and storage of water for irrigation purposes).</u></p> <p><u>3.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure; or</u></p> <p><u>(b) artificial crop protection structures or crop support structures located within 12 metres of a National Grid transmission line support structures that meet requirements of clause 2.4.1 of NZECP34:2001.</u></p> <p><u>3.3.x.4 All buildings and structures must have a</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note: Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p>As a consequence amend the rules in Chapter 3 to include the following new non-comply activity:</p> <p><u>3.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>3.x.1 Any activity that does not meet the Standards in 3.3.x and Standard 3.3.15.</u></p>
<p>3.2. Standards that apply to all permitted activities</p> <p>3.2.1.8 A building or structure must not be located within 90m of the designation boundary (or secured yard) of the National Grid Blenheim substation.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the Blenheim substation, but is concerned that Standard 3.2.1.8 does not fully give effect to the NPSET because the proposed Standard only addresses buildings and structures in the vicinity of the National Grid and does not address 'activities' in the vicinity of the National Grid. Further, the standards only apply to permitted activities and do not explicitly manage controlled activities near Blenheim substation.</p> <p>In order to appropriately give effect to the NPSET, Transpower seeks the replacement of Standard 3.2.1.8 with a standalone restricted discretionary activity rule.</p>	<p>Delete Standard 3.2.1.8 and insert the following new rule in 3.5 Restricted Discretionary Activities:</p> <p><u>[D]</u></p> <p><u>3.5.x Any building or sensitive activity within 90m of the designation boundary of the National Grid Blenheim substation.</u></p> <p><u>Matters over which the Council has restricted its discretion:</u></p> <p><u>3.5.x.1. The effects on the efficient operation, maintenance, upgrading and development of the substation.</u></p> <p><u>3.5.x.2. The extent to which the proposed development design and layout enables appropriate separation distances between the development, or activities sensitive to National Grid lines and the substation.</u></p> <p><u>3.5.x.3 The results of any detailed investigations to determine appropriate separation distances</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>between activities sensitive to National Grid lines and the substation and any technical advice provided by Transpower New Zealand Limited.</u></p> <p><u>3.5.x.4 The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u></p>
<p>3.1. Permitted Activities</p> <p>Rule 3.1.15 Excavation or filling within the National Grid Yard</p>	<p>Support in part</p>	<p>Transpower generally supports Rule 3.1.15 that provides for excavation and filling within the National Grid Yard. However, Transpower is concerned that the definition of 'excavation' constrains the effect of the proposed Rule (and accompanying Standards) because excavation is confined to earthworks where "<i>the surface contour of the land is permanently altered</i>".</p> <p>Transpower considers that applying the 'excavation' definition to earthworks in the vicinity of the National Grid does not give effect to Policy 10 of the NPSET and is inconsistent with the approach to managing the disturbance of land in NZECP34:2001 and section 237 of the Public Works Act 1981. Further, the effect of the definition results in a number of the Standards in 3.3.15 being irrelevant to the activity. Transpower therefore seeks an amendment to the Rule to provide for earthworks in a more general sense, accompanied by a rule specific definition.</p>	<p>Amend Rule 3.1.15 as follows:</p> <p>"3.1.15 <u>Excavation or filling Earthworks</u> within the National Grid Yard."</p>
<p>3.3 Standards that apply to specific permitted activities.</p> <p>3.3.8 Woodlot forestry planting.</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 3.3.8, but seeks the inclusion of an advice note in the Standards to ensure that any planting in the vicinity of the National Grid is done with cognisance of obligations in relation to trees under the Electricity Act 1992. Such an approach better gives effect to Policies 2 and 10 of the NPSET.</p>	<p>Amend Standard 3.3.8 to include the follows:</p> <p><u>"Advice Note: Planting in the vicinity of the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003."</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
3.3 Standards that apply to specific permitted activities. 3.3.11 Indigenous vegetation clearance.	Oppose	Transpower opposes Standard 3.3.11.2 to the extent that the proposed Standard provides for a range of exemptions, but fails to contemplate the National Grid. Transpower considers it appropriate to include a further exemption for the National Grid in order to give effect to Policies 2 and 5 of the NPSET and better recognise the national significance of the National Grid.	Amend Standard 3.3.11.2 as follows: "3.3.11.2 The clearance of indigenous vegetation in the following circumstances is exempt from Standards 3.3.11.3 to 3.3.11.6 (inclusive): <u>(x) indigenous vegetation clearance associated with the operation, maintenance, upgrade and development of the National Grid. ...</u> "
3.3 Standards that apply to specific permitted activities. 3.3.12 Non-indigenous vegetation clearance.	Support in part	Transpower generally supports the Standards in 3.3.12 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards have the potential to be in conflict with Rule 2.38.6 and given the constraints on clearance in the vicinity of wetlands and rivers in 3.3.12.3 does not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment to provide an exemption for the National Grid.	Amend Standard 3.3.12.3 as follows: "3.3.12.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> Vegetation clearance must not be in, or within 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification."
3.3 Standards that apply to specific permitted activities. 3.3.15 Excavation or filling within the National Grid Yard	Support in part	Transpower generally supports the Standards in 3.3.15 that apply to excavation and filling in the vicinity of the National Grid subject to amendments to: <ul style="list-style-type: none"> refine the standards to reflect Transpower's current nationwide approach, the regulations in NZECP34:2001 and the Public Works Act 1981; ensure that the earthworks regulated by NZECP34:2001 are 'captured' by these standards (rather than the more confined definition of 'excavation'); and include a 'default' to non-complying in order to give effects to Policy 10 of the NPSET in the most appropriate, effective and efficient manner and to reflect the mandatory compliance necessary under NZECP34:2001. 	Amend the Standards in 3.3.15 as follows: " 3.3.15 <u>Excavation or filling Earthworks</u> within the National Grid Yard 3.3.15.1 <u>Excavation Earthworks</u> within the National Grid Yard in the following circumstances is exempt from the remaining standards under this rule: (a) <u>Excavation that is earthworks</u> undertaken as part of agricultural, <u>horticultural</u> or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track; <u>(b) earthworks that are undertaken by a network utility operator (excluding buildings or structures associated with the reticulation and storage of water for irrigation purposes).</u> (b) Excavation of a vertical hole, not exceeding

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>500mm in diameter, that is more than 1.5m from the outer edge of a pole support structure or stay wire;</p> <p>(c) Excavation of a vertical hole, not exceeding 500mm in diameter, that is a post hole for a farm fence or horticultural structure and more than 5m from the visible outer edge of a tower support structure foundation.</p> <p>3.3.15.2 The <u>earthworks excavation</u> must be no deeper than 300mm within 6m of the outer visible edge of a <u>foundation of a National Grid transmission line support structure Transmission Tower Support Structure</u>.</p> <p>3.3.15.3 The <u>earthworks excavation</u> must be no deeper than 3m between 6m and 12m of the outer visible edge of a <u>foundation of a National Grid transmission line support structure Transpower Tower Support Structure</u>.</p> <p>3.3.15.4 The <u>earthworks excavation</u> must not compromise the stability of a National Grid <u>transmission line Support Structure</u>.</p> <p>3.3.15.5 The <u>earthworks filling</u> must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</p> <p>Amend the rules in Chapter 3 to include the following new non-comply activity:</p> <p><u>“3.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>3.x.1 Any activity that does not meet the Standards in 3.3.x and Standard 3.3.15.”</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 4. Coastal Environment Zone			
<p>4.1. Permitted Activities</p> <p>4.2. Standards that apply to all permitted activities (4.2.1.15 and 4.2.1.16)</p> <p>4.3 Standards that apply to specific permitted activities.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the National Grid in 4.2, in particular, Standards 4.2.1.15 and 4.2.1.16. However, Transpower is concerned that the Rule and Standards included in the PMEPE do not give effect to Policy 11 of the NPSET because they only address buildings and structures in the vicinity of the National Grid and do not address 'activities' in the vicinity of the National Grid. Policy 11 of the NPSET required local authorities "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 resource consents". Further, the standards only apply to permitted activities and do not explicitly manage controlled, restricted discretionary and discretionary activities within the National Grid Yard.</p> <p>In order to appropriately give effect to the NPSET, Transpower seeks the replacement of Standards 4.2.1.15 and 4.2.1.16 with a standalone permitted activity rule accompanied by a 'default' to non-complying activity status. Non-complying activity status is the most appropriate, efficient and effective way to give effect to the clear direction established in Policies 10 and 11 of the NPSET.</p>	<p>Delete Standards 4.2.1.15 and 4.2.1.16 and insert the following new Rule in 4.1:</p> <p><u>"4.1.x Buildings, structures and activities within the National Grid Yard."</u></p> <p>Insert the new Standards in 4.3:</p> <p><u>"4.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>4.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>4.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height; or</u></p> <p><u>(b) an uninhabited farm or horticultural structure or building (except where they are commercial greenhouses, wintering barns, produce packing facilities, milking/dairy sheds, structures associated with the reticulation and storage of water for irrigation purposes).</u></p> <p><u>4.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure; or</u></p> <p><u>(b) artificial crop protection structures or crop support structures located within 12 metres of a National Grid transmission line support structures that meet requirements of clause 2.4.1 of NZECP34:2001.</u></p> <p><u>4.3.x.4 All buildings and structures must have a</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note: Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p>As a consequence amend the rules in Chapter 4 to include the following new non-comply activity:</p> <p><u>4.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>4.x.1 Any activity that does not meet the Standards in 4.3.x and Standard 4.3.14.</u></p>
<p>4.1. Permitted Activities</p> <p>Rule 4.1.14 Excavation or filling within the National Grid Yard</p>	<p>Support in part</p>	<p>Transpower generally supports Rule 4.1.14 that provides for excavation and filling within the National Grid Yard. However, Transpower is concerned that the definition of 'excavation' constrains the effect of the proposed Rule (and accompanying Standards) because excavation is confined to earthworks where "<i>the surface contour of the land is permanently altered</i>".</p> <p>Transpower considers that applying the 'excavation' definition to earthworks in the vicinity of the National Grid does not give effect to Policy 10 of the NPSET and is inconsistent with the approach to managing the disturbance of land in NZECP34:2001 and section 237 of the Public Works Act 1981. Further, the effect of the definition results in a number of the Standards in 4.3.14 being irrelevant to the activity. Transpower therefore seeks an amendment to the Rule to provide for earthworks in a more general sense, accompanied by a rule specific definition.</p>	<p>Amend Rule 4.1.14 as follows:</p> <p>"4.1.14 Excavation or filling <u>Earthworks</u> within the National Grid Yard."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
4.3 Standards that apply to specific permitted activities. 4.3.7 Woodlot forestry planting.	Support in part	Transpower generally supports the Standards in 4.3.7, but seeks the inclusion of an advice note in the Standards to ensure that any planting in the vicinity of the National Grid is done with cognisance of obligations in relation to trees under the Electricity Act 1992. Such an approach better gives effect to Policies 2 and 10 of the NPSET.	Amend Standard 4.3.7 to include the follows: “ <u>Advice Note: Planting in the vicinity of the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u> ”
4.3 Standards that apply to specific permitted activities. 4.3.10 Indigenous vegetation clearance.	Oppose	Transpower opposes Standard 4.3.10.2 to the extent that the proposed Standard provides for a range of exemptions, but fails to contemplate the National Grid. Transpower considers it appropriate to include a further exemption for the National Grid in order to give effect to Policies 2 and 5 of the NPSET and better recognises the national significance of the National Grid.	Amend Standard 4.3.10.2 as follows: “4.3.10.2 The clearance of indigenous vegetation in the following circumstances is exempt from Standards 4.3.10.3 to 4.3.10.6 (inclusive): <u>(x) indigenous vegetation clearance associated with the operation, maintenance, upgrade and development of the National Grid. ...</u> ”
4.3 Standards that apply to specific permitted activities. 4.3.11 Non-indigenous vegetation clearance.	Support in part	Transpower generally supports the Standards in 4.3.11 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards do not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment provide an exemption for the National Grid in 4.3.11.3.	Amend Standard 4.3.11.3 as follows: “4.3.11.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> Vegetation clearance must not be in, or within 8m of a Significant Wetland.”
4.3 Standards that apply to specific permitted activities. 4.3.14 Excavation or filling within the National Grid Yard	Support in part	Transpower generally supports the Standards in 4.3.14 that apply to excavation and filling in the vicinity of the National Grid subject to amendments to: <ul style="list-style-type: none"> refine the standards to reflect Transpower's current nationwide approach, the regulations in NZECP34:2001 and the Public Works Act 1981; ensure that the earthworks regulated by NZECP34:2001 are 'captured' by these standards (rather than the more confined definition of 'excavation'); and include a 'default' to non-complying in order to give effects to Policy 10 of the NPSET in the most appropriate, effective and efficient manner and to reflect the mandatory compliance necessary under 	Amend the Standards in 4.3.14 as follows: “ 4.3.14 Excavation or filling Earthworks within the National Grid Yard 4.3.14.1 <u>Excavation Earthworks</u> within the National Grid Yard in the following circumstances is exempt from Standards 4.3.14.2 to 4.3.14.5 (inclusive): <u>(a) Excavation that is earthworks</u> undertaken as part of agricultural, <u>horticultural</u> or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track: <u>(b) earthworks that are undertaken by a network utility operator (excluding buildings</u>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>NZEC34:2001.</p>	<p><u>or structures associated with the reticulation and storage of water for irrigation purposes).</u></p> <p>(b) Excavation of a vertical hole, not exceeding 500mm in diameter, that is more than 1.5m from the outer edge of a pole support structure or stay wire;</p> <p>(c) Excavation of a vertical hole, not exceeding 500mm in diameter, that is a post hole for a farm fence or horticultural structure and more than 6m from the visible outer edge of a tower support structure foundation.</p> <p>4.3.14.2 The <u>earthworks excavation</u> must be no deeper than 300mm within 6m of the outer visible edge of a <u>foundation of a National Grid transmission line support structure</u> Transmission Tower Support Structure.</p> <p>4.3.14.3 The <u>earthworks excavation</u> must be no deeper than 3m between 6m and 12m of the outer visible edge of a <u>foundation of a National Grid transmission line support structure</u> Transpower Tower Support Structure.</p> <p>4.3.14.4 The <u>earthworks excavation</u> must not compromise the stability of a National Grid <u>transmission line</u> Support Structure.</p> <p>4.3.14.5 The <u>earthworks filling</u> must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZEC34:2001).”</p> <p>Amend the rules in Chapter 4 to include the following new non-comply activity: <u>“4.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>4.x.1 Any activity that does not meet the Standards in 4.3.x and Standard 4.3.14.”</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 5. Urban Residential 1 and 2 Zone (including Urban Residential 2 Greenfields Zone)			
<p>5.2. Standards that apply to all permitted activities</p> <p>5.2.1.18 A building or structure must not be constructed or sited within 90m of the designation boundary (or secured yard) of the National Grid Blenheim substation.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the Blenheim substation, but is concerned that Standard 5.2.1.18 does not fully give effect to the NPSET because the proposed Standard only addresses buildings and structures in the vicinity of the National Grid and does not address 'activities' in the vicinity of the National Grid.</p> <p>In order to appropriately give effect to the NPSET, Transpower seeks the replacement of Standard 5.2.1.18 with a standalone restricted discretionary activity rule.</p>	<p>Delete Standard 5.2.1.18 and insert the following new restricted discretionary activity rule in Chapter 5:</p> <p><u>“5.x Restricted Discretionary Activities</u> <u>Application must be made for a Restricted Discretionary Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>5.x.x Any building, sensitive activity within 90m of the designation boundary of the National Grid Blenheim substation.</u></p> <p><i><u>Matters over which the Council has restricted its discretion:</u></i></p> <p><u>5.x.x.1. The effects on the efficient operation, maintenance, upgrading and development of the substation.</u></p> <p><u>5.x.x.2. The extent to which the proposed development design and layout enables appropriate separation distances between the development, or activities sensitive to National Grid lines and the substation.</u></p> <p><u>5.x.x.3 The results of any detailed investigations to determine appropriate separation distances between activities sensitive to National Grid lines and the substation and any technical advice provided by Transpower New Zealand Limited.</u></p> <p><u>5.x.x.4 The risk of electrical hazards affecting public or individual safety, and the risk of property damage.”</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 7. Coastal Living Zone			
<p>7.1. Permitted Activities</p> <p>7.2. Standards that apply to all permitted activities (7.2.1.10 and 7.2.1.11)</p> <p>7.3 Standards that apply to specific permitted activities.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the National Grid in 7.2, in particular, Standards 7.2.1.10 and 7.2.1.11. However, Transpower is concerned that the Rule and Standards included in the PMEP do not give effect to Policy 11 of the NPSET because they only address buildings and structures in the vicinity of the National Grid and do not address 'activities' in the vicinity of the National Grid. Policy 11 of the NPSET required local authorities "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 resource consents". Further, the standards only apply to permitted activities and do not explicitly manage discretionary activities within the National Grid Yard.</p> <p>In order to appropriately give effect to the NPSET, Transpower seeks the replacement of Standards 7.2.1.10 and 7.2.1.11 with a standalone permitted activity rule accompanied by a 'default' to non-complying activity status. Non-complying activity status is the most appropriate, efficient and effective way to give effect to the clear direction established in Policies 10 and 11 of the NPSET.</p>	<p>Delete Standards 7.2.1.10 and 7.2.1.11 and insert the following new Rule in 7.1:</p> <p><u>"7.1.x Buildings, structures and activities within the National Grid Yard."</u></p> <p>Insert the new Standards in 7.3:</p> <p><u>"7.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>7.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>7.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height; or</u></p> <p><u>(b) an uninhabited accessory building associated with an existing residential activity that is less than 10m² and under 2.5m in height.</u></p> <p><u>7.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure.</u></p> <p><u>7.3.x.4 All buildings and structures must have a minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note:</u> <u>Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees)</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>Regulations 2003.</u></p> <p>As a consequence amend the rules in Chapter 7 to include the following new non-comply activity:</p> <p><u>7.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>7.x.1 Any activity that does not meet the Standards in 7.3.x and Standard 7.3.10.</u></p>
<p>7.1. Permitted Activities</p> <p>Rule 7.1.12 Excavation or filling within the National Grid Yard</p>	Support in part	<p>Transpower generally supports Rule 7.1.12 that provides for excavation and filling within the National Grid Yard. However, Transpower is concerned that the definition of 'excavation' constrains the effect of the proposed Rule (and accompanying Standards) because excavation is confined to earthworks where "<i>the surface contour of the land is permanently altered</i>".</p> <p>Transpower considers that applying the 'excavation' definition to earthworks in the vicinity of the National Grid does not give effect to Policy 10 of the NPSET and is inconsistent with the approach to managing the disturbance of land in NZECP34:2001 and section 237 of the Public Works Act 1981. Further, the effect of the definition results in a number of the Standards in 7.3.10 being irrelevant to the activity. Transpower therefore seeks an amendment to the Rule to provide for earthworks in a more general sense, accompanied by a rule specific definition.</p>	<p>Amend Rule 7.1.12 as follows:</p> <p><u>7.1.12 Excavation or filling Earthworks within a the National Grid Yard.</u></p>
<p>7.3 Standards that apply to specific permitted activities.</p> <p>7.3.7. Indigenous vegetation clearance.</p>	Oppose	<p>Transpower opposes Standard 7.3.7.2 to the extent that the proposed Standard provides for a range of exemptions, but fails to contemplate the National Grid. Transpower considers it appropriate to include a further exemption for the National Grid in order to give effect to Policies 2 and 5 of the NPSET and better recognise the national significance of the National Grid.</p>	<p>Amend Standard 7.3.7.2 as follows:</p> <p>"7.3.7.2 The clearance of indigenous vegetation in the following circumstances is exempt from Standards 7.3.7.3 to 7.3.7.6 (inclusive):</p> <p><u>(x) indigenous vegetation clearance associated with the operation, maintenance, upgrade and development of the National Grid. ...</u>"</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>7.3 Standards that apply to specific permitted activities.</p> <p>7.3.8 Non-indigenous vegetation clearance.</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 7.3.8 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards do not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment provide an exemption for the National Grid in 7.3.8.3.</p>	<p>Amend Standard 7.3.8.3 as follows:</p> <p>“7.3.8.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> within, or within 8m of a Significant Wetland, Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man’s beard are the only vegetation that may be removed. Any vegetation removed under this standard must only be done by non-mechanical means.”</p>
<p>7.3 Standards that apply to specific permitted activities.</p> <p>7.3.10 Excavation or filling within the National Grid Yard</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 7.3.10 that apply to excavation and filing in the vicinity of the National Grid subject to amendments to:</p> <ul style="list-style-type: none"> refine the standards to reflect Transpower’s current nationwide approach, the regulations in NZECP34:2001 and the Public Works Act 1981; ensure that the earthworks regulated by NZECP34:2001 are ‘captured’ by these standards (rather than the more confined definition of ‘excavation’); and include a ‘default’ to non-complying in order to give effect to Policy 10 of the NPSET in the most appropriate, effective and efficient manner and to reflect the mandatory compliance necessary under NZECP34:2001. 	<p>Amend the Standards in 7.3.10 as follows:</p> <p>“7.3.10 Excavation or filling <u>Earthworks</u> within the National Grid Yard</p> <p>7.3.10.1 Excavation <u>Earthworks</u> within the National Grid Yard in the following circumstances is exempt from the remaining standards under this rule:</p> <p>(a) Excavation that is earthworks undertaken as part of agricultural, <u>horticultural</u> or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track:</p> <p><u>(b) earthworks that are undertaken by a network utility operator (excluding buildings or structures for reticulation and storage or water for irrigation purposes).</u></p> <p>(b) Excavation of a hole, not exceeding 500mm in diameter, that is more than 1.5m from the outer edge of a pole support structure or stay wire;</p> <p>(c) Excavation of a hole, not exceeding 500mm in diameter, that is a post hole for a farm fence or horticultural structure and more than 5m from the visible outer edge of a tower support structure foundation.</p> <p>7.3.10.2 The <u>earthworks excavation</u> must be no deeper than 300mm within 6m of the outer visible edge of a <u>foundation of a National Grid</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>transmission line-tower support structure.</p> <p>7.3.10.3 The earthworks excavation must be no deeper than 3m between 6m and 12m of the outer visible edge of a <u>foundation of a National Grid transmission line-tower</u> support structure.</p> <p>7.3.10.4 The earthworks excavation must not compromise the stability of a National Grid <u>transmission line</u> support structure.</p> <p>7.3.10.5 The earthworks-filling must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</p> <p>Amend the rules in Chapter 7 to include the following new non-comply activity: <u>"7.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>7.x.1 Any activity that does not meet the Standard in 7.3.x and Standard 7.3.10."</u></p>
Volume 2: 12. Industrial 1 and 2 Zones			
<p>12.1. Permitted Activities</p> <p>12.2. Standards that apply to all permitted activities (12.2.1.9 and 12.2.1.10)</p> <p>12.3 Standards that apply to specific permitted activities.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Standards that restrict activities in the vicinity of the National Grid in 12.2, in particular, Standards 12.2.1.9 and 12.2.1.10. However, Transpower is concerned that the Rule and Standards included in the PMEP do not fully give effect to the NPSET because they only address buildings and structures in the vicinity of the National Grid and do not address 'activities' in the vicinity of the National Grid. Further, the standards only apply to permitted activities and do not explicitly manage restricted discretionary or discretionary activities within the National Grid Yard.</p> <p>In order to appropriately give effect to the NPSET,</p>	<p>Delete Standards 12.2.1.9 and 12.2.1.10 and insert the following new Rule in 12.1: <u>"12.1.x Buildings, structures and activities within the National Grid Yard."</u></p> <p>Insert the new Standards in 12.3: <u>"12.3.x. Buildings, structures and activities in the vicinity of the National Grid</u> <u>12.3.x.1 Sensitive activities, buildings and structures must not be located within the National Grid Yard unless they are a fence not exceeding 2.5m in height.</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>Transpower seeks the replacement of Standards 12.2.1.9 and 12.2.1.10 with a standalone permitted activity rule accompanied by a 'default' to non-complying activity status. Non-complying activity status is the most appropriate, efficient and effective way to give effect to the clear direction established in Policies 10 and 11 of the NPSET.</p>	<p><u>12.3.x.2 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure.</u></p> <p>Advice Note:</p> <p><u>(a) Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>(b) The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the NZECP34:2001 is mandatory under the Electricity Act 1992. Compliance with the permitted activity status in this Plan does not ensure compliance with the NZECP34:2001.</u></p> <p>As a consequence amend the rules in Chapter 12 to include the following new non-comply activity:</p> <p><u>"12.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>12.x.1 Any activity that does not meet the Standards in 12.3.x and Standard 12.3.19."</u></p>
<p>12.1. Permitted Activities Rule 12.1.30 Excavation or filling within the National Grid Yard</p>	<p>Support in part</p>	<p>Transpower generally supports Rule 12.1.30 that provides for excavation and filling within the National Grid Yard. However, Transpower is concerned that the definition of 'excavation' constrains the effect of the proposed Rule (and accompanying Standards) because excavation is confined to earthworks where "<i>the surface contour of the land is permanently altered</i>".</p> <p>Transpower considers that applying the 'excavation'</p>	<p>Amend Rule 12.1.30 as follows:</p> <p>"12.1.30 Excavation or filling <u>Earthworks</u> within the National Grid Yard."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>definition to earthworks in the vicinity of the National Grid does not give effect to Policy 10 of the NPSET and is inconsistent with the approach to managing the disturbance of land in NZECP34:2001 and section 237 of the Public Works Act 1981. Further, the effect of the definition results in a number of the Standards in 12.3.19 being irrelevant to the activity. Transpower therefore seeks an amendment to the Rule to provide for earthworks in a more general sense, accompanied by a rule specific definition.</p>	
<p>12.3 Standards that apply to specific permitted activities. 12.3.19 Excavation or filling within the National Grid Yard</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 12.3.19 that apply to excavation and filling in the vicinity of the National Grid subject to amendments to:</p> <ul style="list-style-type: none"> refine the standards to reflect Transpower's current nationwide approach, the regulations in NZECP34:2001 and the Public Works Act 1981; ensure that the earthworks regulated by NZECP34:2001 are 'captured' by these standards (rather than the more confined definition of 'excavation'); and include a 'default' to non-complying in order to give effects to Policy 10 of the NPSET in the most appropriate, effective and efficient manner and to reflect the mandatory compliance necessary under NZECP34:2001. 	<p>Amend the Standards in 12.3.19 as follows:</p> <p>12.3.19 Excavation or filling Earthworks within the National Grid Yard</p> <p>12.3.19.1 Excavation Earthworks within the National Grid Yard in the following circumstances is exempt from Standards 12.3.19.2 to 12.3.19.5 (inclusive):</p> <p>(a) Excavation that is earthworks undertaken as part of agricultural, <u>horticultural</u> or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track:</p> <p><u>(b) earthworks that are undertaken by a network utility operator (excluding buildings or structures for the reticulation and storage of water for irrigation purposes).</u></p> <p>(b) Excavation of a vertical hole, not exceeding 500mm in diameter, that is more than 1.5m from the outer edge of a pole support structure or stay wire;</p> <p>(c) Excavation of a vertical hole, not exceeding 500mm in diameter, that is a post hole for a farm fence or horticultural structure and more than 5m from the visible outer edge of a tower support structure foundation.</p> <p>12.3.19.2 The <u>earthworks excavation</u> must be no deeper than 300mm within 6m of the outer visible edge of a <u>foundation of a National Grid</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>Transmission line-Tower Support Structure.</p> <p>12.3.19.3 The earthworks excavation must be no deeper than 3m between 6m and 12m of the outer visible edge of a <u>foundation of a National Grid Transmission line-Tower Support Structure</u>.</p> <p>12.3.19.4 The earthworks excavation must not compromise the stability of a National Grid <u>transmission line</u> Support Structure.</p> <p>12.3.19.5 The earthworks-filling must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</p> <p>Amend the rules in Chapter 12 to include the following non-comply activity: <u>"12.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>12.x.1 Any activity that does not meet Standard 12.3.x and Standard 12.3.19."</u></p>
Volume 2: 16. Coastal Marine Zone			
<p>16.1.9. Permitted Activities</p> <p>Rule 16.1.9. Repair, maintenance or replacement of the existing subsurface Cook Strait cable.</p>	Support in part	<p>Transpower supports Rule 16.1.9 to the extent that the proposed Rule seeks to provide for the existing Cook Strait cables that are owned and operated by Transpower. However, Transpower considers that the proposed Rule should be expanded to also provide for new and upgraded submarine cables in the Cook Strait Cable Protection Zone as a permitted activity because:</p> <ul style="list-style-type: none"> the use of the Cable Protection Zone for submarine cables is clearly anticipated, while a range of other activities are prohibited; the potential adverse effects of submarine cables has been tested by applications for resource 	<p>Amend Rule 16.1.9 as follows:</p> <p>"16.1.9 <u>Installation, operation, maintenance, repair and upgrade of National Grid Cook Strait submarine cables including the following:</u></p> <p><u>(a) occupation of the coastal marine area;</u></p> <p><u>(b) disturbance of the foreshore or seabed and associated discharges;</u></p> <p><u>(c) the discharge of heat to coastal water; and</u></p> <p><u>(d) associated lighting, navigational aids and signs.</u>Repair, maintenance or replacement of the existing subsurface Cook Strait cable."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
		<p>consent on a number of occasions and found to be minor and able to be managed by conditions of consent that could translate to standards in the context of the PMEPP;</p> <ul style="list-style-type: none"> such an approach reduces regulation and gives effect to the NPSET and Policy 6(1)(a) of the New Zealand Coastal Policy Statement 2010 ("NZCPS"). 	
16.2 Standards that apply to all permitted activities	Support in part	<p>Transpower generally supports the Standards in 16.2 but seeks the inclusion of an additional standard to protect the Cook Strait cables at Fighting Bay in order to address a gap in 'protection' between the Fighting Bay Terminal Station designation and the Cook Strait Cable Protection Zone. This gap arises because the designation extends to mean high water springs and the Cook Strait Cable Protection Zone commences at the low-water mark. Such an approach better gives effect to the NPSET.</p>	<p>Amend the Standards in 16.2 to include the following:</p> <p>"16.2.x Activities in the vicinity of the <u>National Grid Cook Strait submarine cables</u></p> <p><u>16.2.x.1 Except for works associated with the National Grid Cook Strait submarine cables, there shall be no disturbance, anchoring, mooring or occupation of the foreshore immediately adjacent to Transpower New Zealand Limited's Fighting Bay Terminal Station.</u></p> <p><u>Advice Note: The Submarine Cables and Pipelines Protection Act 1996, the associated Submarine Cables and Pipeline Protection Order 1992, and Submarine Cables and Pipelines Protection Amendment Order 1999 contain further restrictions on fishing and anchoring within the Cook Strait Cable Protection Zone.</u>"</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>16.3. Standards that apply to specific permitted activities</p> <p>16.3.7. Repair, maintenance or replacement of the existing subsurface Cook Strait cable.</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 16.3.7, but seeks amendments to these standards to better align with the relief sought by Transpower in relation to Rule 16.1.9 and the general standard for disturbance (16.2.1) that applies in any case and is not constrained by a volume of material.</p>	<p>Amend the Standards in 16.3.7 as follows:</p> <p>“16.3.7. <u>Installation, operation, maintenance, repair and upgrade of National Grid Cook Strait submarine cables including the follows:</u></p> <p><u>(a) occupation of the coastal marine area;</u></p> <p><u>(b) disturbance of the foreshore or seabed and associated discharges;</u></p> <p><u>(c) the discharge of heat to coastal water; and</u></p> <p><u>(d) associated lighting, navigational aids and signs.</u> Repair, maintenance or replacement of the existing subsurface Cook Strait cable.</p> <p>16.3.7.1. No more than 500m³ of material must be disturbed in any one calendar year.</p> <p>16.3.7.12. The repair, maintenance or replacement works must not adversely affect navigational safety.</p> <p>16.3.7.32. There must be no contaminants released from equipment being used for the activity.”</p>
<p>Volume 2: 18. Open Space 2 Zone</p>			
<p>18. Open Space 2 Zone</p>	<p>Oppose</p>	<p>Transpower opposes the Rules in Chapter 18 because they do not include the ‘buffer corridor’ for the National Grid as required by Policy 11 of the NPSET. The Benmore – Haywards A 350kV HVDC transmission line traverses the Open Space 2 Zone at Port Underwood and Transpower therefore seeks the inclusion of the same rules and standards that apply in other relevant zones in order to fully give effect to Policies 10 and 11 of the NPSET and achieve the purpose of the RMA.</p>	<p>Insert the following new provisions in Chapter 18:</p> <p>“<u>[D]</u></p> <p><u>18.1.x Buildings, structures and activities within the National Grid Yard.</u></p> <p><u>[D]</u></p> <p><u>18.1.x Earthworks within the National Grid Yard.</u>”</p> <p>“<u>18.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>18.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>18.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>(a) a fence not exceeding 2.5m in height; or</u> <u>(b) an uninhabited accessory building that is less than 10m² and under 2.5m in height.</u></p> <p><u>18.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure.</u></p> <p><u>18.3.x.4 All buildings and structures must have a minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note: Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>18.3.x Earthworks within the National Grid Yard</u></p> <p><u>18.3.x.1 Earthworks within the National Grid Yard undertaken as part of agricultural, horticultural or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track, or earthworks that are undertaken by a network utility operator (excluding buildings or structures the reticulation or storage of water for irrigation purposes), are exempt from the following standards:</u></p> <p><u>18.3.x.2 The earthworks must be no deeper than 300mm within 6m of the outer visible edge of a foundation of a National Grid transmission line support structure.</u></p> <p><u>18.3.x.3 The earthworks must be no deeper than 3m between 6m and 12m of the outer visible edge</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>of a foundation of a National Grid transmission line-support structure.</u></p> <p><u>18.3.x.4 The earthworks must not compromise the stability of a National Grid transmission line support structure.</u></p> <p><u>18.3.x.5 The earthworks must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</u></p> <p><u>"18.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>18.x.1 Any activity that does not meet the Standards in 18.3.x and Standard 18.3.x."</u></p>
<p>18.3 Standards that apply to specific permitted activities.</p> <p>18.3.3 Indigenous vegetation clearance.</p>	<p>Oppose</p>	<p>Transpower opposes Standard 18.3.3.2 to the extent that the proposed Standard provides for a range of exemptions, but fails to contemplate the National Grid. Transpower considers it appropriate to include a further exemption for the National Grid in order to give effect to Policies 2 and 5 of the NPSET and better recognise the national significance of the National Grid.</p>	<p>Amend Standard 18.3.3.2 as follows:</p> <p>"18.3.3.2 The clearance of indigenous vegetation in the following circumstances is exempt from Standards 18.3.3.3 to 18.3.3.4:</p> <p><u>(x) indigenous vegetation clearance associated with the operation, maintenance, upgrade and development of the National Grid. ..."</u></p>
<p>18.3 Standards that apply to specific permitted activities.</p> <p>18.3.4 Non-indigenous vegetation clearance.</p>	<p>Support in part</p>	<p>Transpower generally supports the Standards in 18.3.4 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards do not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment provide an exemption for the National Grid in 18.3.4.3.</p>	<p>Amend Standard 18.3.4.3 as follows:</p> <p>"18.3.4.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> within, or within 8m of a Significant Wetland, Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man's beard are the only vegetation that may be removed. Any vegetation removed under this Standard must only be done by non-mechanical means."</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 19. Open Space 3 Zone			
19. Open Space 3 Zone	Oppose	<p>Transpower opposes the Rules in Chapter 19 because they do not include the 'buffer corridor' for the National Grid as required by Policy 11 of the NPSET nor provide for the protection of the National Grid under Policy 10 of the NPSET. Transpower therefore seeks the inclusion of the same rules and standards that apply in other relevant zones in order to fully give effect to Policies 10 and 11 of the NPSET and achieve the purpose of the RMA.</p>	<p>Insert the following new provisions in Chapter 19:</p> <p><u>[D]</u> <u>19.1.x Buildings, structures and activities within the National Grid Yard.</u></p> <p><u>[D]</u> <u>19.1.x Earthworks within the National Grid Yard.</u></p> <p><u>19.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>19.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>19.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height;</u></p> <p><u>(b) an uninhabited farm or horticultural structure or building (except where they are commercial greenhouses, wintering barns, produce packing facilities, milking/dairy sheds, structures associated with the reticulation and storage of water for irrigation purposes); or</u></p> <p><u>(c) an uninhabited accessory building associated that is less than 10m² and under 2.5m in height.</u></p> <p><u>19.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are:</u></p> <p><u>(a) a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure; or</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>(b) artificial crop protection structures or crop support structures located within 12 metres of a National Grid transmission line support structures that meet requirements of clause 2.4.1 of NZECP34:2001.</u></p> <p><u>19.3.x.4 All buildings and structures must have a minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note: Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>19.3.x Earthworks within the National Grid Yard</u></p> <p><u>19.3.x.1 Earthworks within the National Grid Yard undertaken as part of agricultural, horticultural or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track, or earthworks that are undertaken by a network utility operator (excluding buildings or structures the reticulation or storage of water for irrigation purposes), are exempt from the following standards:</u></p> <p><u>19.3.x.2 The earthworks must be no deeper than 300mm within 6m of the outer visible edge of a foundation of a National Grid transmission line support structure.</u></p> <p><u>19.3.x.3 The earthworks must be no deeper than 3m between 6m and 12m of the outer visible edge of a foundation of a National Grid transmission line support structure.</u></p> <p><u>19.3.x.4 The earthworks must not compromise the stability of a National Grid transmission line</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>support structure.</u></p> <p><u>19.3.x.5 The earthworks must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</u></p> <p><u>"19.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>19.x.1 Any activity that does not meet the Standards in 19.3.x and Standard 19.3.x."</u></p>
19.3 Standards that apply to specific permitted activities. 19.3.2. Conservation planting.	Support in part	Transpower generally supports the Standards in 19.3.2, but seeks the inclusion of an advice note in the Standards to ensure that any planting in the vicinity of the National Grid is done with cognisance of obligations in relation to trees under the Electricity Act 1992. Such an approach better gives effect to Policies 2 and 10 of the NPSET.	Amend Standard 19.3.2 to include the follows: <u>"Advice Note: Planting in the vicinity of the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003."</u>
19.3 Standards that apply to specific permitted activities. 19.3.3 Indigenous vegetation clearance.	Oppose	Transpower opposes Standard 19.3.3.2 to the extent that the proposed Standard provides for a range of exemptions, but fails to contemplate the National Grid. Transpower considers it appropriate to include a further exemption for the National Grid in order to give effect to Policies 2 and 5 of the NPSET and better recognise the national significance of the National Grid.	Amend Standard 19.3.3.2 as follows: "19.3.3.2 The clearance of indigenous vegetation in the following circumstances is exempt from Standards 19.3.3.3 to 19.3.3.5: <u>(x) indigenous vegetation clearance associated with the operation, maintenance, upgrade and development of the National Grid. ..."</u>
19.3 Standards that apply to specific permitted activities. 19.3.4 Non-indigenous vegetation clearance.	Support in part	Transpower generally supports the Standards in 19.3.4 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards do not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment provide an exemption for the National Grid in 19.3.4.3.	Amend Standard 19.3.4.3 as follows: "19.3.4.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> within, or within 8m of a Significant Wetland, Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man's beard are the only vegetation that may be removed. Any vegetation removed under this Standard must only be done by non-mechanical means."

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 2: 20. Open Space 4 Zone			
20. Open Space 4 Zone	Oppose	<p>Transpower opposes the Rules in Chapter 20 because they do not include the 'buffer corridor' for the National Grid as required by Policy 11 of the NPSET nor provide for the protection of the National Grid under Policy 10 of the NPSET. Transpower therefore seeks the inclusion of the same rules and standards that apply in other relevant zones in order to fully give effect to Policies 10 and 11 of the NPSET and achieve the purpose of the RMA.</p>	<p>Insert the following new provisions in Chapter 20:</p> <p><u>[D]</u> <u>20.1.x Buildings, structures and activities within the National Grid Yard.</u></p> <p><u>[D]</u> <u>20.1.x Earthworks within the National Grid Yard.</u></p> <p><u>20.3.x. Buildings, structures and activities in the vicinity of the National Grid</u></p> <p><u>20.3.x.1 Sensitive activities and buildings for the storage of hazardous substances must not be located within the National Grid Yard.</u></p> <p><u>20.3.x.2 Buildings and structures must not be located within the National Grid Yard unless they are:</u></p> <p style="margin-left: 20px;"><u>(a) a fence not exceeding 2.5m in height;</u></p> <p style="margin-left: 20px;"><u>(b) an uninhabited accessory building associated that is less than 10m² and under 2.5m in height.</u></p> <p><u>20.3.x.3 Buildings and structures must not be within 12m of a foundation of a National Grid transmission line support structure unless they are a fence not exceeding 2.5m in height that are located at least 6m from the foundation of a National Grid transmission line support structure.</u></p> <p><u>20.3.x.4 All buildings and structures must have a minimum vertical clearance of 10m below the lowest point of a conductor or otherwise meet the safe electrical clearance distances required by NZECP34:2001 under all transmission line operating conditions.</u></p> <p><u>Advice Note: Vegetation to be planted around the National Grid should be selected and/or</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p><u>managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>20.3.x Earthworks within the National Grid Yard</u></p> <p><u>20.3.x.1 Earthworks within the National Grid Yard undertaken as part of agricultural, horticultural or domestic cultivation or repair, sealing or resealing of a road, footpath, driveway or farm track, or earthworks that are undertaken by a network utility operator (excluding buildings or structures for irrigation and dams), is exempt from the following standards:</u></p> <p><u>20.3.x.2 The earthworks must be no deeper than 300mm within 6m of the outer visible edge of a foundation of a National Grid transmission line support structure.</u></p> <p><u>20.3.x.3 The earthworks must be no deeper than 3m between 6m and 12m of the outer visible edge of a foundation of a National Grid transmission line support structure.</u></p> <p><u>20.3.x.4 The earthworks must not compromise the stability of a National Grid transmission line support structure.</u></p> <p><u>20.3.x.5 The earthworks must not result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice (NZECP34:2001)."</u></p> <p><u>"20.x Non-Complying Activities</u></p> <p><u>Application must be made for a Non-Complying Activity for the following:</u></p> <p><u>[D]</u></p> <p><u>20.x.1 Any activity that does not meet the Standards in 20.3.x and Standard 20.3.x."</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
20.3 Standards that apply to specific permitted activities. 20.3.5. Vegetation clearance.	Support in part	Transpower generally supports the Standards in 20.3.5 that apply to non-indigenous vegetation clearance, but considers that the proposed Standards do not give effect to Policies 2 and 5 of the NPSET, recognising the necessarily linear nature of the National Grid and the need to trim vegetation in accordance with the Electricity (Hazards from Trees) Regulations 2003. Transpower seeks a limited amendment provide an exemption for the National Grid in 20.3.5.	Amend Standard 20.3.5.3 as follows: "20.3.5.3.3 <u>Except when related to the operation, maintenance, upgrade and development of the National Grid,</u> within, or within 8m of a Significant Wetland, Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man's beard are the only vegetation that may be removed. Any vegetation removed under this Standard must only be done by non-mechanical means."
Volume 2: 21. Floodway Zone			
21.2. Standards that apply to all permitted activities.	Oppose	Transpower opposes the Standards in 21.2 because they do not contemplate the potential adverse effects on the National Grid of works in the Floodway Zone, including stopbank works; stockpiling, rock or gabion protection works, land disturbance and vegetation planting. Transpower therefore seeks the inclusion of a further standard in 21.2 in order to give effect to Policy 10 of the NPSET.	Amend the Standards in 21.2 to include the following: " <u>21.2.x. Activities within the National Grid Yard:</u> <u>(a) the activity, and associated works must maintain compliance with the New Zealand Electrical Code of Practice (NZECP34:2001) at all times; and</u> <u>(b) vegetation planting shall be undertaken to ensure that plants are selected and managed to achieve compliance with the Electricity (Hazards from Trees) Regulations 2003.</u> " As a consequence amend the Rules in Chapter 21 to include the following new non-comply activity: " <u>21.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[R. D]</u> <u>21.x.1 Any activity that does not meet Standard 21.2.x.</u> "
Volume 2: 24. Subdivision			
24.2. Permitted Activities 24.2.1. Subdivision of land associated with utilities	Support	Transpower supports Rule 24.2.1 to the extent that the Rule provides a permissive approach for the purpose of utilities. It is considered that this approach appropriately recognises the specific needs of utilities in terms of land requirement in a manner that is efficient.	Retain Rule 24.2.1 as notified.

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
<p>24.4. Restricted Discretionary Activities</p> <p>24.4.3 Subdivision of land located within 90m of the National Grid Blenheim Substation on Sec 1 SO 4246, Lot 1 DP 8572 and Pt Sec 1 SO 6959 (or any successor).</p>	<p>Support in part</p>	<p>Transpower supports Rule 24.4.3 in its entirety and considers that the Rule and accompanying 'matters over which Council has restricted the exercise of its discretion' appropriately give effect to Policies 10 and 11 of the NPSET. Transpower seeks a minor amendment to clarify that Rule 24.2.1 applies to subdivision undertaken by Transpower.</p>	<p>Amend Rule 24.4.3 as follows:</p> <p>“24.4.3 <u>Except as provided for by Rule 24.2.1</u>, Subdivision of land located within 90m of the National Grid Blenheim Substation on Sec 1 SO 4246, Lot 1 DP 8572 and Pt Sec 1 SO 6959 (or any successor).”</p>
<p>24.4. Restricted Discretionary Activities</p> <p>24.4.4. Subdivision of Land within the National Grid Corridor.</p>	<p>Support in part</p>	<p>Transpower generally supports the inclusion of Rule 24.4.4 that provides for subdivision within the National Grid Corridor. However, the proposed rule does not fully give effect to Policies 10 and 11 of the NPSET to the extent that the proposed Rule does not “avoid” reverse sensitivity effects on the National Grid by setting out clearly that subdivision that creates allotments where the location of buildings within the National Grid Yard will be avoided. Transpower therefore seeks the inclusion of an additional Standard in Rule 24.4.4 and an associated 'default' to non-complying activity status. It is considered that such an approach is the most appropriate, efficient and effective way to give effect to the NPSET and therefore achieve the purpose of the RMA. Transpower also seeks a minor amendment to clarify that Rule 24.2.1 applies to subdivision undertaken by Transpower.</p>	<p>Amend Rule 24.4.4 as follows:</p> <p>“24.4.4. <u>Except as provided for by Rule 24.2.1</u>, Subdivision of land within the National Grid Corridor.</p> <p><u>Standards and terms</u></p> <p><u>24.4.4.1 All allotments shall identify a building platform for the principal building and any dwelling/sensitive activity, to be located outside the National Grid Yard.</u></p> <p><u>24.4.4.2 Access to National Grid assets shall be maintained.</u></p> <p><i>Matters over which the Council has restricted its discretion:</i></p> <p>24.4.4.43 The matters set out in 24.3.7.1 to 24.3.7.17.</p> <p>24.4.4.24 The extent to which the subdivision may adversely affect the operation, maintenance, upgrade and development of the National Grid.</p> <p>24.4.4.35 Technical details of the characteristics and risks on and from the National Grid.</p> <p>24.4.4.46 The location, design and use of the proposed building platform or structure as it relates to the National Grid transmission line.</p> <p>24.4.4.57 The risk of electrical hazards affecting public or individual safety, and the risk of property damage, <u>including compliance with New Zealand Electrical Code of Practice (NZECP34:2001).</u></p> <p>24.4.4.68 The nature and location of any vegetation to be planted in the vicinity of the National Grid transmission lines.</p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
			<p>As a consequence amend the Rules in Chapter 24 to include the following new non-comply activity:</p> <p><u>"24.x Non-Complying Activities</u> <u>Application must be made for a Non-Complying Activity for the following:</u> <u>[D]</u> <u>24.x.1 Any activity that does not meet Standards and Terms in 24.4.4."</u></p>
Volume 2: 25. Definitions			
'Abrasive blasting'	Support	Transpower supports the definition of 'Abrasive Blasting' to the extent that the definition is generally consistent with the definition contained in Regulation 3 of the NESETA.	Retain the definition of 'Abrasive blasting' as notified.
'Excavation'	Oppose	<p>Transpower opposes the definition of 'Excavation' because the definition inappropriately constrains the effect of the proposed Rules that manage earthworks in the vicinity of the National Grid by only addressing situations where the surface contour of the land is permanently altered. Transpower considers that applying the 'excavation' definition to earthworks in the vicinity of the National Grid does not give effect to Policy 10 of the NPSET and is inconsistent with the approach to managing the disturbance of land in NZECP34:2001 and section 237 of the Public Works Act 1981. Further, the effect of the definition results in a number of the relevant standards being irrelevant to the activity. Transpower therefore seeks the inclusion of a new 'earthworks' definition to specifically apply within the National Grid Yard.</p> <p>It is noted that an alternate approach may be to rely on the definition of 'Land disturbance activity'.</p>	<p>Insert the following new definition of 'earthworks'</p> <p><u>"Earthworks (when within the National Grid Yard) means any filling, excavation, deposition of or other disturbance of earth, rock or soil on a site, including, raising of the ground level or changes to the profile of the landform; in relation to the installation of services or utilities; the construction of tracks, firebreaks and landings, or root raking and blading."</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
'Maintenance and replacement'	Support in part	Transpower supports the definition of 'Maintenance and replacement' to the extent that it reflects the intent of works provided for in the NESETA, however it is noted that the activities provided for by the definition include significant 'over-lap' with those considered 'minor upgrading'. It is suggested that there may be some merit in considering a greater distinction between the two activities, or conversely whether the two activities could be combined.	Retain the definition of 'Maintenance and replacement' as notified or consider combining with the definition of minor upgrading (including within the rule framework).
'Minor upgrading'	Support in part	<p>Transpower generally supports the definition of 'Minor upgrading' and appreciates that the definition reflects a relatively common approach to utility upgrades. However, Transpower is concerned that, on the one hand the definition provides for the increase in carrying capacity and efficiency of electricity lines, but on the other hand does not provide for an increase in voltage of the lines.</p> <p>The Section 32 Reports do not identify an adverse effect that is managed by restricting voltage upgrades, while the NESETA enables an increase in voltage and current rating as a permitted activity under Regulation 10.</p> <p>In order to be consistent with the approach taken in the NESETA, Transpower therefore seeks the deletion of the limitation on voltage.</p> <p>As noted above this definition includes significant overlap with the definition of 'Maintenance and replacement'. It is suggested that there may be some merit in considering a greater distinction between the two activities, or conversely whether the two activities could be combined.</p>	<p>Amend the definition of 'Minor upgrading' as follows:</p> <p>"Minor upgrading means an increase in the carrying capacity, efficiency or security of electricity (for the purpose of utilities) lines, telecommunication lines and radio communication facilities, using the existing support structures or structures of a similar scale and character, and includes:</p> <ul style="list-style-type: none"> (a) The addition of circuits and conductors; (b) The re-conductoring of the line with higher capacity conductors; (c) The re-sagging of conductors; (d) The addition of longer or more efficient insulators; (e) The addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods; (f) Foundation works associated with the minor upgrading. <p>Minor upgrading does not include an 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."</p>
'National Grid'	New	Transpower seeks the inclusion of a further definition of 'National Grid' to align with the NPSET and the NESETA and to clarify and confine relevant provisions of the PMEP.	<p>Insert the following new definition of 'National Grid':</p> <p><u>"National Grid means the network that transmits high-voltage electricity in New Zealand and that is owned and operated by Transpower New Zealand Limited."</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
'National Grid Corridor'	New	Transpower seeks the inclusion of a further definition of 'National Grid Corridor'. This definition is necessary for the interpretation of Rule 24.4.4. The definition establishes a corridor for the purposes of subdivision that is calculated based on maximum conductor swing in high wind conditions.	<p>Insert the following new definition of 'National Grid Corridor' as follows:</p> <p><u>"National Grid Corridor means the area located either side of the centreline of any National Grid transmission line as follows :</u></p> <ul style="list-style-type: none"> ● <u>16m for the 110kV lines on pi poles</u> ● <u>32m for the 110kV lines on towers</u> ● <u>37m for the 220kV transmission lines</u> ● <u>39m for the 350kV transmission line."</u>
'National Grid Yard'	Support in part	Transpower supports the definition of 'National Grid Yard' on the basis that the definition supports a suite of provisions in the PMEPE that, in turn, give effect to the NPSET. Transpower seeks minor amendments to the definition to reflect the types of structures within Marlborough.	<p>Amend the definition of 'National Grid Yard' as follows:</p> <p>"National Grid Yard means:</p> <ul style="list-style-type: none"> ● the area located 12m in any direction from the outer edge of a National Grid support structure; and ● the area located 10m either side of the centreline of an overhead 110kV National Grid line on single poles; or ● the area located 12m either side of the centreline of any overhead National Grid <u>transmission</u> line on pi poles or towers."
'National Grid Blenheim Substation'	Support	Transpower supports the definition of 'National Grid Blenheim Substation' to the extent that the definition may serve to provide greater clarity in respect of the related rules.	Retain the definition of 'National Grid Blenheim Substation' as notified.
'National Grid Transmission Lines'	Support in part	Transpower supports the inclusion of a definition for 'National Grid Transmission Lines' but seeks amendment to the definition to better reflect the definitions included in the NPSET and NESETA.	<p>Amend the definition of 'National Grid Transmission Lines' as follows:</p> <p><u>"National Grid Transmission Lines has the same meaning as 'transmission line' in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations, 2009 as identified on the Zone Maps."</u></p>
'NZECP34:2001'	Support	Transpower supports the inclusion of reference to NZECP34:2001 in the definitions because the definition provides further clarity that may assist in interpreting various provisions of the PMEPE.	Retain the definition of 'NZECP34:2001'.

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
'Sensitive activities'	New	<p>Transpower seeks the inclusion of a definition of 'Sensitive activities' in order to assist with the interpretation of the PMEPPROVISIONS that address sensitive activities in the vicinity of the National Grid in accordance with Policy 11 of the NPSET. The proposed definition is consistent with the definition included in the NPSET, but refined to reflect the terminology of the PMEPPROVISIONS.</p> <p>It is noted that this definition relies on a number of other definitions included in the PMEPPROVISIONS. For the avoidance of doubt, Transpower's submission generally supports these relevant definitions insofar as they relate to the proposed 'Sensitive activities' definition.</p>	<p>Insert the following new definition of 'Sensitive activities':</p> <p><u>"Sensitive activities means those activities that are particularly sensitive to National Grid transmission lines. Such activities are residential activities, retirement accommodation, visitor accommodation, worker accommodation, Marae activity, camping grounds, schools, childcare and preschool facilities, and health care activities."</u></p>
'Subsurface Cook Strait Cable'	Support in part	<p>Transpower generally supports the definition of 'Subsurface Cook Strait Cable' but seeks limited amendments to align with the terminology normally used to refer to the cables and to indicate that there are a number of cables.</p>	<p>Amend the definition of 'Subsurface Cook Strait Cable' as follows:</p> <p><u>"Subsurface National Grid Cook Strait Submarine Cables</u> means the power and telecommunications cables <u>owned and operated by Transpower New Zealand Limited and</u> protected by the Submarine Cables and Pipelines Protection Act 1996 that are within the Cook Strait Cable Protection Zone established under the Submarine Cables and Pipelines Protection Order 2009."</p>
Volume 3: Appendix 14 Schedule of Designated Land			
Designations O1 and O2 in favour of Transpower New Zealand Limited	Support in part	<p>Transpower supports the 'roll-over' of the Fighting Bay Terminal Station and Blenheim Substation designation without amendment (except for minor corrections sought in Transpower's notice given under Clause 4 of the First Schedule to the RMA (dated 21 December 2011)). Transpower notes that one of these minor amendments was the correction of the requiring authority name. Transpower continues to seek this minor correction.</p>	<p>Amend the Schedule of Designated Land included in Appendix 14 to refer to Transpower's requiring authority name as follows:</p> <p><u>"Transpower New Zealand Limited"</u></p>

PMEP Provision	Support / Oppose	Submission / Reasons	Decision Sought
Volume 3: Appendix 22 Commercial Forestry Harvest Plan			
Appendix 22 Commercial Forestry Harvest Plan	Support in part	Transpower supports Appendix 22 on the basis that it sets out the content of a Commercial Forestry Harvest Plan. In order to better give effect to Policy 10 of the NPSET, and given that the National Grid traverses areas used for commercial forestry, Transpower seeks the inclusion of a further matter in Appendix 22.	Amend Appendix 22 'Commercial Forestry Harvest Plan' to include the following: <u>"x. When harvesting in the vicinity of a National Grid transmission line, the methods to be used to ensure the operation of the National Grid is not compromised and compliance with NZECP 34:2001 is achieved at all times."</u>
Volume 4: Maps			
Planning Maps – National Grid Transmission Lines	Support in part	Transpower supports the Zoning Maps to the extent that they show the National Grid in a manner that gives effect to Policy 12 of the NPSET. However, Transpower seeks an amendment to the Legend that accompanies the maps to refer to 'National Grid Transmission Lines' rather than 'National HVDC Transmission Lines' because only one of the transmission lines that traverses Marlborough is HVDC. Further, to assist in interpreting the provisions of the PMEPP (and particularly the subdivision corridor), it is suggested that the voltage of the various transmission lines also be shown. Lastly, and in order to better give effect to the NPSET, it is suggested that the Overlay Maps also include the National Grid Transmission Lines.	Amend the Zoning Maps to indicate the voltage of the National Grid transmission lines. Amend the Legend to the Zoning Maps as follows: "National <u>HVDC-Grid</u> Transmission Lines" Amend the Overlay Maps to also show the National Grid transmission lines.
Volume 5			
Volume 5	Support	Transpower notes that the PMEPP includes reference to a further Volume 5 that includes copies of national policies statements, national environmental standards and resource management regulations. While not currently included on the Council's website, Transpower assumes that this would include the NPSET and the NESETA. On the basis that these documents are included in Volume 5, Transpower supports including such a suite of documents because they will assist plan users.	Retain Volume 5, inclusive of the NPSET and NESETA.