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Subject: Submission on Proposed Otago Regional Policy Statement - Transpower New Zealand Limited
Date: Friday, 3 September 2021 1:16:51 p.m.
Attachments: [Transpower New Zealand Limited Otago Regional Policy Statement Submission \(Final\).pdf](#)

Please find attached a submission made by Transpower New Zealand Limited on the Proposed Otago Regional Policy Statement.

Please acknowledge receipt in due course.

Ngā mihi
Ainsley

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Submission by Transpower New Zealand Limited Proposed Otago Regional Policy Statement

3 September 2021

Keeping the energy flowing



TRANSPOWER



Form 5

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

Clause 6 of Schedule 1, Resource Management Act 1991

To Otago Regional Council (“the Council”)

Name of submitter: Transpower New Zealand Limited (“Transpower”)

This is a submission on the following proposed plan (“the proposal”):

The Proposed Otago Regional Policy Statement (“Proposed ORPS”).

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

The specific provisions of the proposal that my submission relates to are:

The Proposed ORPS in its entirety insofar as it relates to the National Grid, and particularly the extent to which the provisions of the Proposed Plan give effect to the National Policy Statement on Electricity Transmission 2008 (“NPSET”). A copy of the NPSET is attached at the end of this submission.

The specific details of Transpower’s submission, and decisions sought in relation to the provisions of the Proposed ORPS, are set out in detail in the following table.

Transpower’s submission is:

Executive Summary

The National Grid is nationally (and regionally) significant infrastructure that is recognised in 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 Proposed ORPS is required to, amongst other things, give effect to the provisions of the NPSET (section 62(3) of the RMA).

Transpower acknowledges Council’s intent to meet these obligations. However, it is Transpower’s submission that further amendments to the Proposed ORPS are required to:

- (a) give effect to the NPSET;
- (b) achieve the purpose of the RMA, including in respect of the purpose of a regional policy statement set out in section 59 of the RMA;
- (c) 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
- (d) discharge Council’s duty under section 32 of the RMA.

This submission outlines amendments to the Proposed ORPS that are necessary to meet these statutory requirements.

Background: The National Grid and Transpower's assets in Otago

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

The National Grid extends from Kaikohe in the North Island to Tiwai Point in the South Island and comprises some 12,000 kilometres of transmission lines and cables and more than 160 substations, supported by a telecommunications network of some 300 telecommunication sites that help link together the components that make up the National Grid.

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 then 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.

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

Transpower's Statement of Corporate Intent for 1 July 2021, states that:

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

- as grid owner, to reliably and efficiently transport electricity from generators to distributors and large users;

- as system operator, to operate a competitive electricity market and deliver a secure power system."

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to seek security of supply, thereby contributing to New Zealand's economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. A key part of this is connecting new renewable energy generation to the National Grid – Transpower expects demand for electricity to increase over time as New Zealand transitions to a zero-carbon economy, and Transpower is uniquely placed to help enable that transition.

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, the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP 34:2001") and the Electricity (Hazard from Trees) Regulations 2003.

Transpower's interest in the Proposed ORPS is because Transpower owns and operates assets within, and traversing, Otago. These assets include transmission lines, substations, communications cables and associated infrastructure. These assets supply electricity to people and communities in Otago and transmit electricity to much of the rest of New Zealand.

Transpower's assets in Otago are:

- Aviemore - Livingstone A (AVI-LIV-A) 220kV transmission line;
- Balclutha Deviation A (BAL-DEV-A) 110kV transmission line;
- Cromwell - Frankton A (CML-FKN-A) 110kV transmission line;
- Glenavy - Oamaru A (GNY-OAM-A) 110kV transmission line;
- Glenavy - Oamaru B (GNY-OAM-B) 110kV transmission line;
- Gore - Halfway Bush A (GOR-HWB-A) 110kV transmission line;
- Gore - Roxburgh A (GOR-ROX-A) 110kV transmission line;
- Halfway Bush - Roxburgh A (HWB-ROX-A) 110kV transmission line;
- Halfway Bush - South Dunedin A (HWB-SDN-A) 220kV transmission line;
- North Makarewa - Three Mile Hill A (NMA-TMH-A) 220kV transmission line;
- Roxburgh - Islington A (ROX-ISL-A) 220kV transmission line;
- Roxburgh - Three Mile Hill A (ROX-TMH-A) 220kV transmission line;
- Invercargill - Roxburgh A (INV-ROX-A) 220kV transmission line;
- Invercargill - Roxburgh B (INV-ROX-B) 220kV transmission line;
- Roxburgh - Twizel A (ROX-TWZ-A) 220kV transmission line;
- Balclutha substation;
- Berwick substation;
- Cromwell substation;
- Clyde substation;
- Frankton substation;
- Halfway Bush substation;
- Livingston substation;
- Naseby substation;
- Oamaru substation;
- Roxburgh substation;
- South Dunedin substation;
- Three Mile Hill substation;
- Big Hill communications site; and
- Rudd Road communications site.

The location of these assets is shown on the following map (Figure 1).

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 electricity generators. Much of Transpower's submission on the Proposed ORPS is focussed on the requirements of the NPSET. The NESETA is of lesser relevance to the Proposed ORPS because it sets out a national regulatory

framework for activities related to existing National Grid transmission lines, including the operation, maintenance and upgrading of such lines as opposed to providing higher order policy direction.

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 the National Grid;
- managing the adverse effects on the environment of the National Grid;
- managing the adverse effects of land use and development 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 of, 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 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:

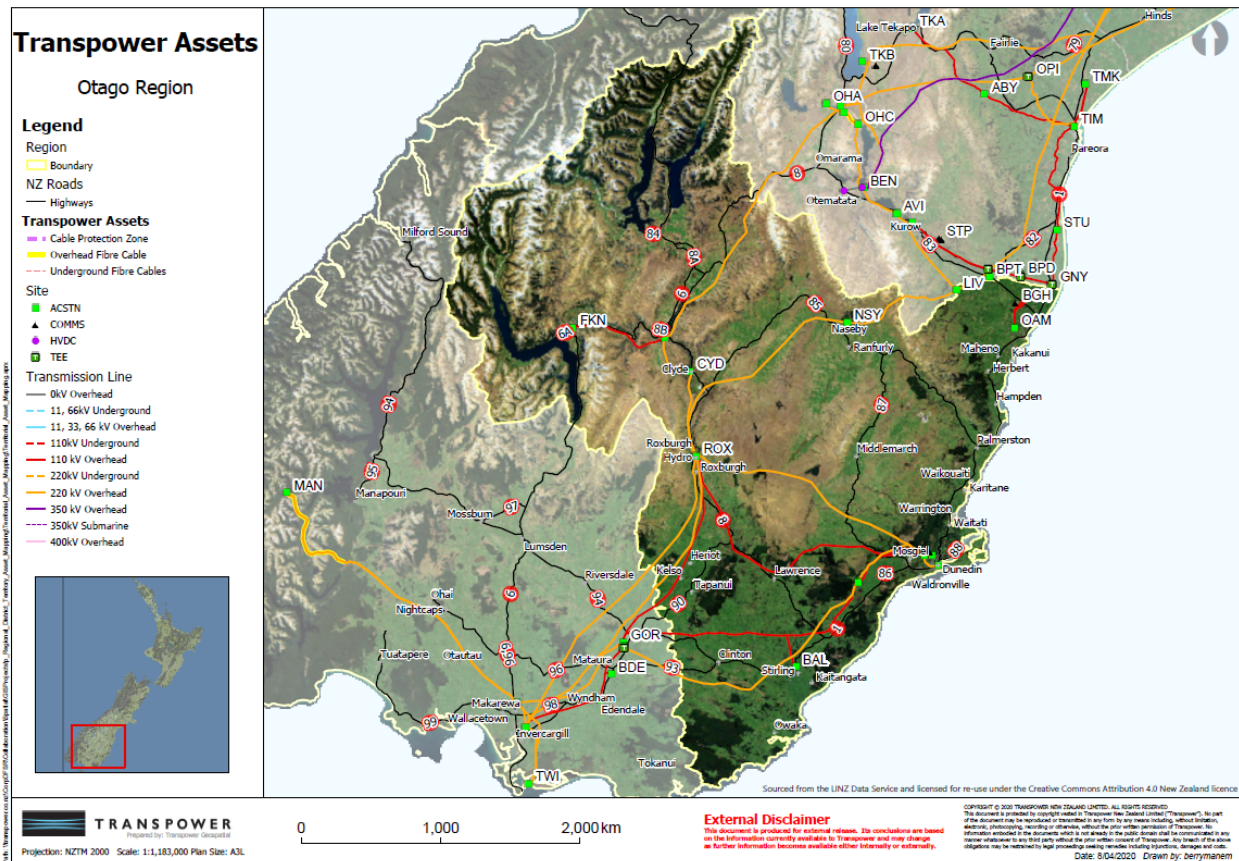
- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route 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;
- 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) of the RMA requires the Council to give effect to the objectives and policies of the NPSET in the Proposed ORPS. The requirement to ‘give effect to’ is a strong directive that requires the provisions of the Proposed ORPS to reflect the direction and intent of the NPSET.

Giving effect to the NPSET will ensure that:

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

Figure 1: Transpower Assets in Otago



Transpower’s submission

Transpower generally supports many of the provisions included in the Proposed ORPS where these provisions give effect to the NPSET by appropriately providing for, protecting and managing the effects of the National Grid.

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, deleted or amended to fully give effect to the NPSET. In this regard, key elements of Transpower’s relief seeks provisions that:

- refine approaches to nationally significant infrastructure and regionally significant infrastructure to provide greater clarity in the Proposed ORPS provisions;

- align the ‘effects tests’ provisions for the development of the National Grid with the direction given in the NPSET through the inclusion of a bespoke policy;
- appropriately enable the operation, maintenance and minor upgrading of the National Grid without undue constraint; and
- require the avoidance of direct effects of activities on the National Grid, in addition to reverse sensitivity effects.

In addition, Transpower’s submission:

- Reflects a nationally consistent and evolved approach to the way in which policy statements and plans give effect to the NPSET.
- Is concerned, and expresses caution, in terms of the influence of and weight given to a range of proposed statutes and policies (for instance the Natural and Built Environments Bill exposure draft and proposed, but not finalised or gazetted national policy statements) in both the drafting of provisions and in the section 32 evaluation of the proposed provisions. At this time, Transpower seeks that all provisions included in the Proposed ORPS that have been drafted in anticipation of future planning instruments are deleted.
- Similarly is concerned that in places the Proposed ORPS borrows concepts, or approaches to managing effects, from higher order documents and applies these approaches to a different context. For instance, applying the National Policy Statement for Freshwater Management (“NPSFM”) approach to effects management to other natural resources, or applying the ‘seek to avoid’ approach to effects of the National Grid also to effects on the National Grid.
- Highlights the many provisions that include a requirement to ‘avoid’ effects, activities or areas where these are yet to be defined or identified. This, in turn, means that the extent of future regulation is somewhat unclear and could have significant consequences given the ‘absolute’ direction of an ‘avoid’ policy.
- In addition, Transpower considers that the Section 32 Evaluation report does not meet the requirements of section 32 of the RMA, particularly in terms of whether the objectives meet the purpose of the RMA and in respect of the level of detailed analysis of options.

For these reasons Transpower considers that amendments to the Proposed ORPS are necessary to meet the requirements of sections 62 and 32 of the RMA; to give effect to national policy statements and to achieve the sustainable management purpose of the RMA.

The following table sets out a range of detailed amendments to the Proposed Plan to achieve the matters outlined above.

Transpower seeks the following decision from the local authority:

Amend the Proposed ORPS 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. For the avoidance of doubt, such consequential relief may include the need to amend or alter Explanation text and/or Principal Reasons text to reflect the purpose or intent of relief sought in respect of Objectives, Policies or Methods.

Transpower welcomes the opportunity, and is available, to work alongside the Council to further develop the Proposed ORPS in response to this submission and the submissions made by other parties.

Transpower wishes to be heard in support of its submission.

Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.



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

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Transpower New Zealand Limited: Submission on the Otago Regional Policy Statement

The following table sets out the decisions sought by Transpower, including specific amendments to the provisions of the Proposed ORPS (shown in underline and ~~strikethrough~~), and further reasons, in addition to those set out above, for Transpower’s support for, or opposition to, the notified provisions of the Proposed ORPS.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
PROPOSED OTAGO REGIONAL POLICY STATEMENT – ENTIRE POLICY STATEMENT			
Whole of the Regional Policy Statement	Support in part	<p>Transpower is generally supportive of the approach taken in the Proposed ORPS to including specific provisions in respect of nationally significant infrastructure, regionally significant infrastructure and the National Grid.</p> <p>That said, Transpower notes that while nationally and regionally significant infrastructure are distinguished in the definitions, there is no such distinction in any of the subsequent provisions such that the purpose of this distinction is unclear. It is noted that the Section 32 Evaluation Report prefers the distinction on the basis of the NPSFM and draft NPSIB (that has no legal weight) even though subsequent provisions do not rely on this distinction.</p> <p>It is further noted that it is not clear whether all nationally significant infrastructure is also regionally significant or if it is intended that the definitions be mutually exclusive. Transpower considers that this requires clarification because, as drafted, the National Grid is not considered regionally significant and as a consequence does not fall within the definition of ‘specified infrastructure’ and would not be provided for by, for instance, LF–FW–P9 – Protecting natural wetlands.</p> <p>As an editing matter, it is noted that they Proposed ORPS does not use consistent expression or definition hyperlinks when referring to nationally significant infrastructure and regionally significant infrastructure. Transpower considers that the Proposed ORPS should be reviewed and amended to include consistent reference to such infrastructure.</p>	<p>Amend the Proposed ORPS by revising and updating approaches to nationally significant infrastructure and regionally significant infrastructure to provide greater clarity in respect of the intended approaches and outcomes, including through the use of consistent expression and hyperlinks to definitions.</p>
PART 1 – INTRODUCTION AND GENERAL PROVISIONS			
How the Policy Statement Works			
Cross-boundary matters	Support in part	<p>Transpower generally supports the commentary included in the Proposed ORPS in respect of cross-boundary matters but seeks limited amendments to better express cross-boundary matters related to the National Grid (as set out in the preamble to the NPSET) (including that positive effects may</p>	<p>Amend the following clauses of the commentary in relation to cross-boundary matters:</p> <p><i>“... Cross-boundary issues can arise in several ways, and generally manifest in issues for either plan preparation and review, or plan</i></p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		accrue across boundaries) and to include reference to nationally significant infrastructure.	<p>administration and the processing of applications for resource consents. Otago’s cross-boundary matters include:</p> <ul style="list-style-type: none"> • adverse effects in one jurisdiction due to the activities in another, particularly-including where territorial authority boundaries do not match catchment boundaries, as with the Clutha Mata-au, or the Waitaki River catchment over which Otago and Canterbury Regional Councils share jurisdiction, or Otago’s coastal environment, which covers three territorial authorities’ jurisdictions, and may be affected by land uses in the other two (through sediment flowing down the Clutha Mata-au, for instance); • ... • resources that cross local authority boundaries which must be managed in a uniform manner, such as regionally significant infrastructure, nationally significant infrastructure, outstanding natural features, outstanding natural landscapes and significant natural areas; • local, regionally significant infrastructure or nationally significant infrastructure being developed and operated operating-across local authority boundaries, as with transport and electricity supply networks, and potentially shared services such as waste disposal; and ... <p>...</p> <p>Cooperation at a national level</p> <p>Cross-boundary issues may arise that are significant at a national level. This is particularly likely when addressing nationally important-significant infrastructure such as the National Grid electricity transmission grid or land transport infrastructure. ...”</p>
Interpretation			
Definitions – ‘Electricity sub-transmission infrastructure’	Support in part	Transpower does not oppose the inclusion of a definition of ‘electricity sub-transmission infrastructure’ but seeks limited amendments to better distinguish sub-transmission infrastructure from National Grid infrastructure. This is necessary because the NPSET only applies to the National Grid and not electricity sub-transmission.	<p>Amend the definition of ‘electricity sub-transmission infrastructure’ as follows:</p> <p>“means electricity infrastructure that is not the National Grid and that which conveys electricity between:</p> <p>(a) energy generation sources and zone substations;</p> <p>(b) the National Grid and zone substations; or and</p> <p>(c) between zone substations.”</p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
Definitions – ‘National Grid’	Support in part	Transpower supports the inclusion of a definition of ‘National Grid’ in the Proposed ORPS but considers that it is more appropriate to rely on the definition included in the NPSET (being the NPS that specifically relates to the National Grid) as opposed to that included in the NPSREG. The NPSET definition is clear that the National Grid is all assets used and owned by Transpower and may include elements of the National Grid that do not convey electricity such as the associated communications network.	Amend the definition of ‘National Grid’ as follows: <i>“has the same meaning as in the Interpretation section of the National Policy Statement on Electricity Transmission 2008 for Renewable Electricity Generation 2011 (as set out in the box below)</i> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <i>means the assets lines and associated equipment used or owned by Transpower <u>New Zealand Limited to convey electricity</u>”</i> </div>
Definitions – ‘Nationally Significant Infrastructure’	Support in part	Transpower supports the inclusion of a definition of ‘nationally significant infrastructure’ to the extent that the definition includes the National Grid, but Transpower considers that it is not necessary to refer to both the ‘National Grid’ and the ‘electricity transmission network’ because these are the same thing. Transpower considers it more appropriate for the definition to rely on the defined term – ‘National Grid’. It is also noted that the definition could be further refined to delete reference to infrastructure that is not located in Otago and the relief Transpower seeks includes these amendments. In addition, Transpower’s submission (see above) generally seeks that the way in which the Proposed ORPS addresses nationally and regionally significant infrastructure is revised and updated to provide greater consistency and clarity across all provisions.	Amend the definition of ‘Nationally Significant Infrastructure’ as follows: <i>“has, to the extent applicable to the Otago Region, the same meaning as in clause 1.4(1) of the National Policy Statement for Urban Development 2020 (as set out in the box below)</i> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <i>means all of the following:</i> <ol style="list-style-type: none"> <i>a. State highways</i> <i>b. the Nnational Ggrid electricity transmission network</i> <i>c. renewable electricity generation facilities that connect with the Nnational Ggrid</i> <i>d. the high pressure gas transmission pipeline network operating in the North Island</i> <i>e. the refinery pipeline between Marsden Point and Wiri</i> <i>f. the New Zealand rail network (including light rail)</i> <i>eg. rapid transit services (as defined in this clause)</i> <i>f.h. any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers</i> <i>g.i. the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002</i> </div>
Definitions – ‘Regionally	Support in part	Transpower does not oppose the definition of ‘regionally significant infrastructure’ but comments as follows:	Amend the definition of ‘regionally significant infrastructure’ as follows: <i>“means:</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
Significant Infrastructure'		<p>- It is not clear whether it is intended that nationally significant infrastructure is a subset of regionally significant infrastructure; whether these are two different things that may overlap; or whether they are mutually exclusive.</p> <p>- the definition does not include the National Grid. This has a consequence because the definition of 'specified infrastructure' relies on the definition of 'regionally significant infrastructure.'</p> <p>In addition, Transpower's submission (see above) generally seeks that the way in which the Proposed ORPS addresses nationally and regionally significant infrastructure is revised and updated to provide greater consistency and clarity across all provisions.</p> <p>Because there is some doubt as to how the infrastructure provisions work together, Transpower therefore seeks that this definition explicitly include the National Grid.</p>	<p>1. roads classified as being of regional importance in accordance with the One Network Road Classification, <u>x. the National Grid;</u></p> <p>2. electricity sub-transmission infrastructure, ..."</p> <p>As alternate relief, amend the definition of 'specified infrastructure' to include reference to the National Grid.</p>
Definitions – 'Sensitive activities'	Support	Transpower supports the definition of 'sensitive activities' on the basis that the term is defined with reference to the NPSET and as such is consistent with the NPSET.	Retain the definition of 'sensitive activities' as notified.
Mana whenua			
Policies Mana whenua MW-MW-P4 – Sustainable use of Māori land	Support in part	Transpower generally supports Policy MW-P4 but notes that, insofar as the Policy may relate to activities in the vicinity of the National Grid, requiring avoidance of significant effects only (as opposed avoiding sensitive activities and activities that may compromise the National Grid) does not give effect to Policies 10 and 11. For this reason Transpower seeks the inclusion of an additional clause in the Policy to address this.	<p>Amend Policy MW-P4 as follows:</p> <p><i>"Kāi Tahu are able to protect, develop and use land and resources within native reserves and land held under Te Ture Whenua Māori Act 1993 in a way consistent with their culture and traditions and economic, cultural and social aspirations, including for papakāika, marae and marae related activities, while:</i></p> <ol style="list-style-type: none"> <i>1. avoiding adverse effects on the health and safety of people,</i> <i>2. avoiding significant adverse effects on matters of national importance,</i> <p><u><i>x. avoiding adverse effects, including reverse sensitivity effects, on the National Grid; and</i></u></p> <ol style="list-style-type: none"> <i>3. avoiding, remedying, or mitigating other adverse effects."</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
PART 2 – RESOURCE MANAGEMENT OVERVIEW			
SRMR – Significant resource management issues for the region			
SRMR – Significant resource management issues for the region New Issue	Oppose	<p>Transpower does not support the SRMR as currently drafted for the following reasons:</p> <ul style="list-style-type: none"> - The introductory text is inconsistent with (and does not achieve) the sustainable management purpose of the RMA because the text is entirely focused on the use of, and impacts on, natural resources and fails to contemplate the use, development and protection of important physical resources (including the National Grid) in the same way. - The SRMRs do not include matters of national significance as also being significant issues at a regional level. That is, in the context of the National Grid, the need to operate, maintain, develop and upgrade the National Grid is a matter of national significance (set out in the NPSET) yet, as drafted, the need to operate, maintain, develop and upgrade the National Grid in Otago is not considered regionally significant. <p>Transpower seeks that the SRMR be amended to be consistent with the NPSET and to provide a more fulsome approach to achieving the purpose of the RMA in respect of promoting the sustainable management of important physical resources.</p>	<p>Amend the introductory text (including figure 2) to also address the use, development and protection of physical resources; and</p> <p>Amend the SRMR to include a new issue that addresses need to operate, maintain, develop and upgrade the National Grid as regionally important. Transpower would welcome the opportunity to work with the Council to develop this text and in doing so, acknowledges that the new issue does not need to be exclusive to the National Grid, but may also relate to other important infrastructure and should recognise the National Grid’s critical role in achieving New Zealand’s carbon zero future.</p>
IM – Integrated management			
Objectives IM–O1 – Long term vision	Support in part	<p>Transpower generally supports Objective IM-O1 but considers that the Objective does not reflect outcomes for physical resources (as opposed to natural systems). Transpower considers that limited amendments are necessary so that this Objective achieves the purpose of the RMA.</p>	<p>Amend Objective IM-O1 as follows: “IM–O1 – Long term vision <i>The management of natural and physical resources in Otago, by and for the people of Otago, including Kāi Tahu, and as expressed in all resource management plans and decision making, achieves healthy, resilient, and safeguarded natural systems, and the ecosystem services they offer, and <u>natural and physical resources supports the health, safety and well-being of present and future generations, mō atou, ā, mō kā uri ā muri ake nei.</u>”</i></p> <p>As a consequence, amend the policies that implement this Objective to provide appropriate direction in respect of the use, development, and protection of physical resources and the way in which the potential of physical resources is sustained.</p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
Policies IM-P2 – Decision priorities	Oppose	Transpower opposes Policy IM-P2 and seeks its deletion. Transpower considers that the proposed Policy could be read to be attempting to create a hierarchy that does not exist in the section 5 purpose of the RMA. Transpower considers that it is inappropriate (and no rationale is given) to ‘borrow’ the NPSFM objective that applies to freshwater management and recast it to direct the management of all natural and physical resources. Such an approach does not achieve the purpose of the RMA or achieve integrated management by taking a balanced approach to a range of nationally important matters (including the National Grid, as set out in the NPSET).	Delete Policy IM-P2 in its entirety.
Policies IM-P14 – Human Impact	Oppose	Transpower opposes Policy IM-P14 on the basis that the proposed Policy appears to seek to embed concepts included in the consultation draft of the Natural and Built Environments Bill. Transpower considers that such an approach is inappropriate because the Proposed ORPS has been notified under the RMA and integrated management must achieve the sustainable management purpose of that legislation as opposed to possible draft future legislation. Transpower considers that the concept of environmental limits is uncertain in the context of the Proposed ORPS and is concerned that provisions that may prevent activities occurring beyond undefined limits may not give effect to the NPSET. The NPSET explicitly acknowledges that the National Grid can have significant adverse effects on the environment.	Delete Policy IM-P14 in its entirety. As a consequence, delete references to the concept of establishing of environmental limits elsewhere in the Proposed ORPS, for instance in Method IM-M1.
Policies IM-P15 – Precautionary approach	Oppose	Transpower opposes Policy IM-P15 on the basis that the Policy lacks specificity to the extent that the Policy suggests that for unknown activities, that have unknown effects, in areas with unknown values a precautionary approach (not defined) should be taken. Transpower considers that, if the policies in the Proposed ORPS are crafted to achieve the purpose of the RMA and implemented accordingly, there should be more clarity in respect of the management of natural and physical resources than is implied by this Policy. That said, Transpower acknowledges that the precautionary approach is an important principle but, where expressed as generally as it is in this policy, it has the potential to become an obstacle to appropriate development if applied incorrectly. There is an inherent lack of scientific certainty across the natural environment. This policy will inevitably open up arguments that a proposal creates a threat of harm and therefore	Delete Policy IM–P15 in its entirety.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		should not be allowed (as there is never “full” scientific certainty when predicting future effects – even with the best expertise and modelling). Transpower seeks the deletion of this Policy and notes that the absence of this Policy does not prevent the application of a precautionary approach on a case-by-case basis.	
PART 3 – DOMAINS AND TOPICS			
CE – Coastal Environment			
Objectives CE-O3 – Natural character, features and landscape	Support	Transpower supports Objective CE-O3 on the basis that the Objective is consistent with Part 2 of the RMA and the relevant provisions of the NZCPS.	Retain Objective CE-O3 as notified.
Policies CE-P1 – Links with other chapters	Support in part	Transpower supports Policy CE-P1 to the extent that the proposed Policy recognises that particular matters or activities in the coastal environment are managed by specific provisions elsewhere in the Proposed ORPS. Consistent with Transpower’s relief sought elsewhere in this submission, Transpower seeks that a similar approach be applied to the National Grid in the coastal environment. It is considered that such an approach is an efficient and appropriate way to address the outcomes sought in two national policy statements and resolve any tensions between these higher order documents without having broader application or unintended consequences. It is noted that such an approach was the outcome of appeals on the Partially Operative ORPS. Transpower considers that the approach taken in this Policy may also be useful to deploy in other sections of the Proposed ORPS.	Amend Policy CE-P1 as follows: “Recognise that: 1. coastal hazards must be identified in accordance with CE-P2(4) and managed in accordance with the HAZ–NH – Natural hazards section of this RPS; 2. port activities must be managed in accordance with the TRAN – Transport section of this RPS; and 3. historic heritage must be managed in accordance with the HCV – Historical and cultural values section of this RPS; <u>and</u> 4. National Grid activities must be managed in accordance with the <u>relevant provisions in the EIT-INF section of this RPS and, in the event of any conflict between provisions, the provisions the EIT-INF section prevail.</u> ” Consider whether there are opportunities to use a similar approach in other sections of the Proposed ORPS, for instance in NFL – Natural features and landscapes and ECO – Ecosystems and indigenous biodiversity.
Policies CE-P4 – Natural character	Oppose	Transpower does not support Policy CE-P4 because: - the Policy does not implement Objective CE-O3 that contemplates the protection of natural character from inappropriate activities in a manner consistent with section 6(a) of the RMA and Policy 13 of the NZCPS; and	Insert a new Policy in EIT-INF that sets out specific direction in respect of the National Grid in the Coastal Environment that, in the event of conflict, prevails over policies in the CE section of the Proposed ORPS.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		<p>- insofar as the Policy relates to the National Grid, the Policy is inconsistent with, and does not give effect to, Policy 8 of the NPSET that requires that the development of the National Grid should 'seek to avoid' adverse effects on areas of high natural character, as opposed to 'avoid'.</p> <p>Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS.</p>	<p>Alternatively, amend Policy CE-P4 as follows: <i>"Identify, preserve and restore the natural character of the coastal environment by:</i></p> <ol style="list-style-type: none"> 1. <i>identifying areas and values of high and outstanding natural character which may include matters such as:</i> ... 2. <i>avoiding adverse effects on natural character in areas identified as having outstanding natural character,</i> 3. <i>avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on natural character outside the areas in (2) above,</i> 4. <i><u>in the case of the development of the National Grid, seeking to avoid adverse effects on natural character in areas of high and outstanding natural character, and (2) and (3) above do not apply...</u></i>"
Policies CE-P5 – Coastal indigenous biodiversity	Oppose	<p>Transpower does not support Policy CE-P5 on the basis that, insofar as the Policy relates to the National Grid, the Policy is inconsistent with, and does not give effect to, the NPSET. This is because the NPSET does not include a direction that effects of the development of the National Grid on indigenous biodiversity should be avoided. Transpower is of the view that a 'seek to avoid' requirement is an appropriate response to reconcile national policy statements and is consistent with the NPSET approach to other matters in section 6 of the RMA.</p> <p>Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS.</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the National Grid in the Coastal Environment that, in the event of conflict, prevails over policies in the CE section of the Proposed ORPS.</p> <p>Alternatively, amend Policy CE-P5 as follows: <i>"Protect indigenous biodiversity in the coastal environment by:</i></p> <ol style="list-style-type: none"> 1. <i>identifying and avoiding adverse effects on the following ecosystems, vegetation types and areas:</i> ... 2. <i>identifying and avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on the following ecosystems, vegetation types and areas:</i> ... 3. <i><u>in the case of the development of the National Grid, seeking to avoid adverse effects on areas of identified indigenous biodiversity value, while recognising that there will be areas where avoidance of adverse effects is required to protect the special values and characteristics of those areas, and (1) and (2) above do not apply,</u></i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
Policies CE-P6 – Natural features, landscapes and seascapes	Oppose	<p>Transpower does not support Policy CE-P6 because:</p> <ul style="list-style-type: none"> - the Policy does not implement Objective CE-O3 that contemplates the protection of natural feature, landscapes and seascapes from inappropriate activities in a manner consistent with section 6(b) of the RMA and Policy 15 of the NZCPS; and - insofar as the Policy relates to the National Grid, the Policy is inconsistent with, and does not give effect to, Policy 8 of the NPSET that requires that the development of the National Grid should ‘seek to avoid’ adverse effects on outstanding natural landscapes, as opposed to ‘avoid’. <p>Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS.</p>	<p>....”</p> <p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the National Grid in the Coastal Environment that, in the event of conflict, prevails over policies in the CE section of the Proposed ORPS.</p> <p>Alternatively, amend Policy CE-P6 as follows: <i>“Protect natural features, landscapes and seascapes in the coastal environment by:</i></p> <ol style="list-style-type: none"> <i>1. identifying their areas and values in accordance with APP9,</i> <i>2. avoiding adverse effects of activities on outstanding natural features, landscapes or seascapes,</i> <i>3. avoiding significant adverse effects and avoiding, remedying, or mitigating other adverse effects of activities on other natural features and natural landscapes or seascapes,</i> <p><i><u>x. in the case of the development of the National Grid, seeking to avoid adverse effects on outstanding natural features, landscapes or seascapes and avoiding, remedying or mitigating adverse effects on other natural features, landscapes or seascapes, and (2) and (3) above do not apply, and</u></i></p> <ol style="list-style-type: none"> <i>4. promoting restoration or enhancement of natural features, landscapes and seascapes where they have been reduced or lost.”</i>
Policies CE-P8 – Public access	Support	Transpower supports Policy CE-P8, and particularly clauses (1) and (8) on the basis that, where the National Grid is located in the coastal environment, these clauses provide for public access to be restricted to protect people and the National Grid asset.	Retain Policy CE-P8 as notified.
Policies CE-P9 – Activities on land within the coastal environment	Support	Transpower supports Policy CE-P9, and particularly clause (3) on the basis that the Policy recognises the importance of infrastructure located on land within the coastal environment.	Retain clause (3) of Policy CE-P9 as notified.
Policies CE-P10 – Activities within the coastal marine area	Support	Transpower supports Policy CE-P8, and particularly clause (3) on the basis that the Policy provides a ‘pathway’ for activities that have an operational need or a functional need to locate in the coastal marine area.	Retain Policy CE-P10 as notified.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
LF – Land and fresh water: LF–FW – Fresh water			
Objectives LF–FW–O10 – Natural character	Support	Transpower supports Objective LF-FW-O10 on the basis that the Objective is consistent with Part 2 of the RMA.	Retain Objective LF-FW-O10 as notified.
Policies LF–FW–P9 – Protecting natural wetlands	Support	Transpower acknowledges that, while included in this policy statement as opposed to a regional plan, Policy LF-FW-P9 generally reflects the direction for regional plans given in 3.22 of the NPSFM.	Retain Policy LF–FW–P9 as notified.
Policies LF–FW–P12 – Protecting outstanding water bodies	Oppose	<p>Transpower does not support Policy LF-FW-P12 on the basis that, insofar as the Policy relates to the National Grid, the Policy is inconsistent with, and does not give effect to, the NPSET. This is because the NPSET does not include a direction that effects of the development of the National Grid on outstanding water bodies should be avoided. Transpower is of the view that a ‘seek to avoid’ requirement is an appropriate response that is consistent with the NPSET approach to other matters in section 6 of the RMA. For this reason, Transpower proposes an additional clause in the Policy.</p> <p>That said, Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS. This policy is set out below.</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the National Grid in the Coastal Environment that, in the event of conflict, prevails over policies in the LF section of the Proposed ORPS.</p> <p>Alternatively, amend Policy LF-FW-P12 as follows: <i>“The significant and outstanding values of outstanding water bodies are:</i></p> <ol style="list-style-type: none"> <i>1. identified in the relevant regional and district plans, and</i> <i>2. protected by avoiding adverse effects on those values,</i> <i>3. in the case of the operation, maintenance, development and upgrade of the National Grid, seeking to avoid adverse effects on significant and outstanding values of outstanding water bodies, and (2) above does not apply.”</i>
Policies LF–FW–P13 – Preserving natural character	Support in part	Subject to the relief sought elsewhere in Transpower’s submission, Transpower generally supports Policy LF-FW-P13 but seeks an amendment to give effect to the NPSET by providing for situations where an activity might have an operational need that would result in the loss of natural character values (such as where the National Grid needs to cross a river) as opposed to only a functional need.	<p>Amend Policy LF-FW-P13 as follows: <i>“Preserve the natural character of lakes and rivers and their beds and margins by:</i></p> <ol style="list-style-type: none"> <i>1. avoiding the loss of values or extent of a river, unless:</i> <ol style="list-style-type: none"> <i>a. there is a functional need <u>or operational need</u> for the activity in that location, and”</i>
Policies LF–FW–P15 – Stormwater and wastewater discharges	Support in part	Transpower generally supports policy LF-FW-P15 but seeks a limited amendment to provide for particular situations or land uses where stormwater is disposed of on-site. That is, while it is accepted that clause (2) is the appropriate ‘default’ for this policy, there are sites and activities that are more unique and discharges from such sites may be managed in a site-specific manner. This is often the case for Transpower’s substations. Transpower seeks an amendment to provide for such situations.	<p>Amend Policy LF-FW-P15 as follows: <i>“Minimise the adverse effects of direct and indirect discharges of stormwater and wastewater to fresh water by:</i></p> <p>...</p> <ol style="list-style-type: none"> <i>2. requiring:</i> <ol style="list-style-type: none"> <i>a. all sewage, industrial or trade waste to be discharged into a reticulated wastewater system, where one is available,</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<p>b. all stormwater to be discharged into a reticulated system, where one is available,</p> <p>c. implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring for reticulated stormwater and wastewater systems,</p> <p>d. on-site wastewater systems to be designed and operated in accordance with best practice standards,</p> <p>e. stormwater and wastewater discharges to meet any applicable water quality standards set for FMUs and/or rohe, and</p> <p>f. the use of water sensitive urban design techniques to avoid or mitigate the potential adverse effects of contaminants on receiving water bodies from the subdivision, use or development of land, wherever practicable, and</p> <p>...</p> <p><u>x. except that (2) does not apply to nationally significant infrastructure where the adverse effects of direct and indirect discharges of stormwater and wastewater are minimised.</u>"</p>
LF – Land and fresh water: LF-LS – Land and soil			
Policies LF-LS-P19 – Highly productive land	Oppose	<p>Transpower opposes Policy LF-LS-P19 to the extent that clause (2) inappropriately prioritises the use of highly productive land for primary production. Transpower considers that there is no rationale for prioritising highly productive soils in clause (2) over all other development (including the development of nationally significant infrastructure). The Section 32 Evaluation Report indicates that such provisions are included in anticipation of a National Policy Statement for Highly Productive Land. In this regard, Transpower notes that the proposed NPSHPL does not have legal weight and is subject to future amendments in response to the more than 250 submissions made on the proposed version.</p> <p>Further, the Policy fails to consider situations where land could be used for primary productions in addition to other uses such that there is no need for 'priority'. For instance, the National Grid can co-exist with primary production and therefore primary production need not be given priority ahead of the National Grid.</p>	<p>Amend Policy LF-LS-P19 as follows:</p> <p><i>"Maintain the availability and productive capacity of highly productive land by:</i></p> <p>...</p> <p>2. <i>prioritising the use of highly productive land for primary production ahead of other land uses <u>but not ahead of regionally significant infrastructure and nationally significant infrastructure</u>, and</i></p> <p>3. <i>managing urban development in rural areas, including rural lifestyle and rural residential areas, in accordance with UFD-P4, UFD-P7 and UFD-P8."</i></p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
Policies LF-LS-P22 – Public access	Support in part	Transpower generally supports Policy LF-LS-P22, but seeks the inclusion of a further clause so that the policy approach for lakes and rivers is consistent with that for the coastal environment in CE-P8. Transpower considers that the new clause, in conjunction with clause (3)(a) provide for public access in the vicinity of the National Grid to be appropriately restricted to protect people and the National Grid asset.	Amend Policy LF-LS-P22 as follows: <i>“Provide for public access to and along lakes and rivers by: ... 3. encouraging landowners to only restrict access where it is necessary to protect: a. public health and safety, b. significant natural areas, c. areas of outstanding natural character, d. outstanding natural features and landscapes, e. places or areas with special or outstanding historic heritage values, or f. places or areas of significance to takata whenua, including wāhi tapu and wāhi tupuna, g. to ensure a level of security consistent with the operational requirements of a lawfully established activity.”</i>
ECO – Ecosystems and indigenous biodiversity			
Policies ECO-P4 – Provision for new activities	Support	Subject to relief sought elsewhere in this submission, Transpower generally supports Policy ECO-P4 on the basis that the Policy clearly provides for nationally and regionally significant infrastructure in significant natural areas in certain circumstances. Such an approach gives effect to the NPSET and in particular Policies 1, 2 and 3.	Retain Policy ECO-P4 as notified.
Policies ECO-P5 – Existing activities in significant natural areas	Support in part	Subject to relief sought elsewhere in this submission, Transpower generally supports the approach in Policy ECO-P5 to enabling activities in significant natural areas and considers that this Policy is consistent with Policy 5 of the NPSET and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.	Retain Policy ECO-P5 as notified.
Policies ECO-P6 – Maintaining indigenous biodiversity	Support in part	While Transpower acknowledges that Policy ECO-P6 embeds an effects management hierarchy, Transpower is concerned that the Policy has the effect of compelling offsetting or compensation for residual adverse effects. In this regard, Transpower notes that neither the NPSET nor the RMA include such a compulsion. Instead, the RMA includes a clear direction in sections 104(1)(ab) and 171(1B) that offsetting and compensation measures must be proposed or agreed by an applicant or requiring authority respectively. For this reason, Transpower seeks an	Insert a new Policy in EIT-INF that sets out specific direction in respect of managing effects of the National Grid that, in the event of conflict, prevails over policies in the ECO section of the Proposed ORPS. Alternatively, amend Policy ECO-P6 as follows:

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		<p>amendment to Policy ECO-P6 to confirm that offsetting or compensation must be proposed or agreed.</p> <p>Transpower does not support Policy ECO-P6 on the basis that, insofar as the Policy relates to the National Grid, the Policy is inconsistent with, and does not give effect to, the NPSET. This is because the NPSET does not include a direction that effects of the development of the National Grid on indigenous biodiversity should be avoided. Transpower is of the view that a 'seek to avoid' requirement is an appropriate and is consistent with the NPSET approach to other matters in section 6 of the RMA.</p> <p>Transpower is concerned that the Policy inappropriately 'borrows' an approach to effects management set out in the NPSFM and applies it to indigenous biodiversity in a manner that is out of context and not sufficiently tested in terms of section 32 of the RMA.</p> <p>In addition, it is noted that throughout this submission Transpower has suggested that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS. This policy is set out below.</p> <p>As a final matter, Transpower does not support the concluding clause 5(b) because the RMA is not a 'no effects' statute and there may be situations where an activity can achieve the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna consistent with section 6(c) without compensating for all residual effects.</p>	<p><i>"Maintain Otago's indigenous biodiversity (excluding the coastal environment and areas managed under ECO-P3) by applying the following biodiversity effects management hierarchy in decision-making on applications for resource consent and notices of requirement:</i></p> <ol style="list-style-type: none"> <i>1. avoid adverse effects as the first priority, <u>or seek to avoid adverse effects in the case of the National Grid,</u></i> <i>2. where adverse effects demonstrably cannot be completely avoided, they are remedied,</i> <i>3. where adverse effects demonstrably cannot be completely avoided or remedied, they are mitigated,</i> <i>4. where there are residual adverse effects after avoidance, remediation, and mitigation, then <u>an applicant or requiring authority may offer or agree to offset</u> the residual adverse effects are offset in accordance with APP3, and</i> <i>5. if biodiversity offsetting of residual adverse effects is not possible, then:</i> <ul style="list-style-type: none"> <i>a. an applicant or requiring authority may offer or agree to compensate for the residual adverse effects are compensated for in accordance with APP4, and</i> <i>b. if the residual adverse effects cannot be compensated for in accordance with APP4, the activity is avoided."</i>
Policy ECO-P7 – Coastal indigenous biodiversity	Support in part	<p>Transpower generally supports the inclusion of a clear and explicit cross reference to the policies in the CE section of the Proposed ORPS.</p> <p>Transpower considers that, subject to Transpower's relief in respect of Policy CE-P1, a further cross-reference should be added to Policy CE-P1 to be clear that there are other provisions in the Proposed ORPS that also manage activities in the coastal environment.</p>	<p>Amend Policy ECO-P7 as follows:</p> <p><i>"Coastal indigenous biodiversity is managed by <u>CE-P1 and CE-P5,</u> and implementation of CE-P5 also contributes to achieving ECO-O1."</i></p>
EIT – Energy Infrastructure and Transport: INF – Infrastructure			
Objective EIT-INF-O4 – Provision of infrastructure	Support in part	<p>Transpower generally supports Objective EIT-INF-O4 and considers, insofar as the Objective relates to the National Grid, that the Objective is generally consistent with the outcomes sought in the NPSET (subject to the amendments sought).</p>	<p>Amend Objective EIT-INF-O4 as follows:</p> <p><i>"Effective, efficient and resilient infrastructure enables the people and communities of Otago to provide for their social and cultural well-being, their health and safety, and supports sustainable</i></p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		<p>Transpower seeks that the Objective is amended to delete reference to “Otago” and “within the region” this is because (as explicitly noted in the NPSET) the benefits of the National Grid may “<i>extend beyond the local to the regional and national</i>”.</p> <p>Transpower also seeks the deletion of reference to environmental limits in this Objective for the following reasons:</p> <ul style="list-style-type: none"> - as set out above, Transpower considers that an approach that appears to borrow concepts included in the consultation draft of the Natural and Built Environments Bill is inappropriate because the Proposed ORPS has been notified under the RMA and the concept of environmental limits is not certain; and - In terms of regionally and nationally significant infrastructure, the outcomes in respect of the management of effects is set out in Objective EIT-INF-05 and an alternate approach in the Objective is confusing and unclear. 	<p><i>economic development and growth within the region within environmental limits.”</i></p>
Objective EIT-INF-05 – Integration	Support in part	<p>Transpower generally supports Objective EIT-INF-05 to the extent that the Objective seeks the coordination of nationally and regionally significant infrastructure with land use change.</p> <p>Transpower does not support the use of the term ‘minimise’ in this context for the following reasons:</p> <ul style="list-style-type: none"> - The concept of minimising is unclear such that efforts to minimise effects could be understood to be anything from making a limited attempt to reduce some adverse effects through to making all adverse effects ‘minimal’. Requiring effects to be minimised may inadvertently confine the direction that can be given in implementing policies. - Insofar as the Objective relates to the National Grid, the NPSET does not include a requirement for adverse effects to be minimised. Instead, the NPSET recognises that the National Grid may have significant adverse effects requires that adverse effects are managed (in the NPSET Objective) and sets out a more nuanced approach to how this management is achieved (in the NPSET Policies). For this reason, Objective EIT-INF-05 does not give effect to the NPSET. <p>As a further matter, Transpower suggests additional amendments so that the Objective is expressed as an outcome.</p>	<p>Amend Objective EIT-INF-05 as follows: <i>“Development of nationally and regionally significant infrastructure is coordinated with, as well as, land use change so that the operation and use of the infrastructure is efficient and, occurs in a co-ordinated manner to minimise adverse effects on the environment are managed and increase efficiency in the delivery, operation and use of the infrastructure.”</i></p>
Objectives EIT-INF-06 – Long-	Support in part	<p>Transpower supports the inclusion of a National Grid specific Objective in the Proposed ORPS and considers that, based on policy and plan making</p>	<p>Replace Objective EIT-INF-06 as follows:</p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
term planning for electricity transmission infrastructure		<p>processes throughout New Zealand, National Grid specific provisions are typically an efficient and effective approach to giving effect to the NPSET. That said, Transpower considers that the proposed Objective (when read alongside EIT-INF-O4 and EIT-INF-O5) does not give effect to the NPSET, rather the Objective only captures the requirements for Regional Council set out in Policy 14 of the NPSET.</p> <p>Transpower seeks that the Objective is replaced with wording that better reflects the outcomes directed by the NPSET, particularly in the NPSET's sole Objective that reads as follows:</p> <p><i>"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:</i></p> <ul style="list-style-type: none"> <i>• managing the adverse environmental effects of the network; and</i> <i>• managing the adverse effects of other activities on the network."</i> <p>As a final matter, the Section 32 Evaluation Report indicates that this Objective is intended to address other transmission infrastructure. For clarity Transpower notes that the electricity transmission network is understood to be the National Grid. This is distinct from electricity distribution and sub-transmission. The NPSET only applies to transmission/the National Grid and other types of electricity infrastructure are not provided for, managed or protected by the provisions of the NPSET.</p> 	<p>"EIT-INF-O6 – Long-term planning for electricity transmission infrastructureThe National Grid</p> <p><u><i>The operation, maintenance, upgrade and development of the National Grid is facilitated so that the national significance of the National Grid is recognised and the needs of people and communities are met now and in the future, while adverse effects of, and on, the National Grid are managed. Long-term investment in, and planning for, electricity transmission infrastructure, and its integration with land use, is sustained."</i></u></p>
Policies EIT-INF-P13 – Locating and managing effects of infrastructure	Oppose	<p>Transpower opposes Policy EIT-INF-P13 to the extent that the Policy does not give effect to the NPSET because it does not directly reflect the effects management framework set out in the NPSET.</p> <p>Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS. This policy is set out below. For this reason Transpower does not propose amendments to Policy EIT-INF-P13, rather a new policy is sought that prevails over this Policy in the event of any conflict between provisions.</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the management of the potential adverse effects of the maintenance, upgrade and development of the National Grid that, in the event of conflict, prevails over policies in the EIT-INF section of the Proposed ORPS.</p>
Policies EIT-INF-P15 – Protecting nationally or	Support in part	<p>Transpower supports the inclusion of a policy that seeks to protect nationally and regionally significant infrastructure but considers that,</p>	<p>Amend Policy EIT-INF-P15 as follows:</p> <p><i>"Seek to avoid the establishment of, or expansion of existing, activities that may result in reverse sensitivity adverse effects,</i></p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
regionally significant infrastructure		<p>insofar as it relates to the National Grid, Policy EIT-INF-P15 does not give effect to Policy 10 and Policy 11 of the NPSET for the following reasons:</p> <ul style="list-style-type: none"> - Policy 10 requires the management of activities to avoid reverse sensitivity effects, as opposed to ‘seek to avoid’; - Policy 10 requires the management of activity to ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised, as opposed to compromising the functional or operational needs; - Policy 11 requires buffer corridors within which it can be expected that sensitive activities will generally not be provided for. <p>Transpower seeks amendments to the Policy to give effect to the NPSET that:</p> <ul style="list-style-type: none"> - include a requirement to ‘avoid’; - recognise that the expansion of existing activities can also have an adverse effect on the National Grid; - include reference to ‘adverse’ in respect of effects; - include reference to direct adverse effects as well as reverse sensitivity effects, being activities that compromise the National Grid (an example earthworks that destabilise a National Grid support structure); - remove the concept of operational or functional needs, these ‘needs’ are matters relevant to the adverse effects of infrastructure (and in the case of the National Grid, the concept is set out in Policy 3 of the NPSET). 	<p><i>including reverse sensitivity effects, on nationally or regionally significant infrastructure, and/or where they may compromise the functional or operational needs of nationally or regionally significant infrastructure.”</i></p>
Policies EIT-INF-P16 – Providing for electricity transmission and the National Grid	Support in part	<p>Transpower supports the inclusion of a specific provision in the Proposed ORPS to recognise and provide for the National Grid. It is considered that including such a provision is the most efficient way to give effect to the NPSET, and particularly Policies 1, 2 and 5. Transpower understands that the presence of this Policy (as amended by this submission) have the effect of providing particular direction in respect of the National Grid and it is for this reason that Transpower’s submission does not seek amendments to Policies EIT-INF-P11 and EIT-INF-P12 so that those Policies give effect to the NPSET.</p> <p>That said, further amendments are required to refine this Policy and to fully give effect to Policies 1,2 and 5 the NPSET.</p> <p>Transpower seeks that:</p> <ul style="list-style-type: none"> - Reference to ‘electricity transmission’ is deleted because the electricity transmission network and the National Grid are the same thing (and as set 	<p>Amend EIT-INF-P16 as follows: <i>“EIT-INF-P16 – Providing for electricity transmission and the National Grid</i> <i>Recognise the benefits of the National Grid Maintain a secure and sustainable electricity supply in Otago by:</i></p> <ol style="list-style-type: none"> <i>1. providing for development of, and upgrades to, the electricity transmission network and requiring, as far as practicable, its integration with land use,</i> <i>2. considering the requirements of and constraints on the functional or operational needs of the electricity transmission network,</i> <i>3. providing for the efficient and effective development, operation, maintenance, and upgrading of the National Grid,</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		<p>out above, only the National Grid is provided for, managed and protected by the provisions of the NPSET). Transpower notes that it may be intended that this Policy also apply to electricity distribution and sub-transmission. If this is the case, it is suggested that the provision be more clearly distinguished.</p> <p>- Clauses (2) and (5) are relocated to a new Policy that sets out how the management of the adverse effects of the National Grid is achieved. This policy is set out below.</p> <p>Clause (3) is amended to delete “efficient” because this is not a requirement of Policy 2 of the NPSET.</p>	<p>4. <i>enabling the reasonable operation, maintenance and minor upgrade requirements of <u>the National Grid established electricity transmission assets, and</u></i></p> <p>5. <i>minimising the adverse effects of the electricity transmission network on urban amenity, and avoiding adverse effects on town centres, areas of high amenity or recreational value and existing sensitive activities.”</i></p>
Policies EIT-INF-Px New Policy	-	<p>The Proposed ORPS does not give effect to the NPSET because the proposed provisions fail to reflect the particular directions in the NPSET for the management of effects of the National Grid.</p> <p>Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS. This is the most common approach taken in recently developed policy statements and plans across New Zealand and is the approach taken in the Partially Operative ORPS.</p> <p>Transpower is not aware of any monitoring or review outcomes that would indicate that Policy 4.3.6 of the Partially Operative ORPS is not the most effective or efficient way to give effect to the NPSET and achieve the purpose of the RMA.</p> <p>Transpower seeks that the new policy includes clear direction that the Policy prevails over others where there is conflict to avoid the need to refine policies throughout the Proposed ORPS to give effect to the explicit directions in the NPSET.</p>	<p>Insert the following new Policy: <u>“EIT-INF-Px Managing the effects of the development of the National Grid</u> <u>Manage the adverse effects of the operation, maintenance, upgrade and development of the National Grid by:</u></p> <p><u>1. enabling the operation, maintenance and minor upgrading of the National Grid;</u></p> <p><u>2. in urban environments, avoiding adverse effects on town centres, areas of high recreation value and existing sensitive activities;</u></p> <p><u>3. managing effects on the values or extent of natural wetlands in accordance with LF-FW-P9 – Protecting natural wetlands;</u></p> <p><u>4. in the coastal environment, recognising that there will be areas where avoidance of adverse effects is required to protect the special values and characteristics of those areas;</u></p> <p><u>5. where (1), (2), (3) or (4) do not apply, seeking to avoid adverse effects on the values or characteristics of the following:</u></p> <p><u>a. outstanding water bodies;</u></p> <p><u>b. areas of high or outstanding natural character;</u></p> <p><u>c. outstanding natural features, outstanding natural landscapes or outstanding natural seascapes;</u></p> <p><u>d. significant natural areas;</u></p> <p><u>e. areas or places of significant or outstanding historic heritage;</u></p> <p><u>f. wāhi tapu, wāhi taoka and areas with protected customary rights;</u></p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<p><u>6. where adverse effects on the values or characteristics of the areas or places listed in (5) above cannot be avoided, remedying or mitigating adverse effects, having regard to:</u></p> <p><u>a. the operational needs of the National Grid and the extent those requirements constrain measures to avoid, remedy or mitigate adverse effects;</u></p> <p><u>b. the extent significant adverse effects are avoided;</u></p> <p><u>c. the extent to which any adverse effects have been avoided, remedied or mitigated by route, site and method selection for new infrastructure or major upgrades;</u></p> <p><u>d. the extent to which existing adverse effects have been reduced as part of any substantial upgrade; and</u></p> <p><u>e. the extent to which adverse effects on urban amenity have been minimised; and</u></p> <p><u>f. and where there are residual adverse effects on indigenous biodiversity values following the implementation of (a) to (e) above, to consider the appropriateness of the extent to which any residual adverse effects are offsetting or compensated for;</u></p> <p><u>7. avoiding, remedying, or mitigating other adverse effects, having regard to the matters in 6(a) to (f); and</u></p> <p><u>8. in the event of any conflict between EIT-INF-Px and other policies in this regional policy statement, EIT-INF-Px prevails over those policies.”</u></p>
Method EIT-INF-M4	Oppose	<p>Transpower opposes Method EIT-INF-M4 to the extent that it does not direct regional plans to recognise and provide for the National Grid and as such does not give effect to Policy 2 of the NPSET.</p> <p>In addition, Transpower seeks that clause (2) is amended to reflect that the adverse effects of significant infrastructure (such as the National Grid) cannot always be minimised (as acknowledged in EIT-INF-PR2 and the preamble to the NPSET). Minimising adverse effects is not required by the NPSET.</p>	<p>Amend Method EIT-INF-M4 – Regional plans as follows: “Otago Regional Council must prepare or amend and maintain its regional plans to:</p> <p><u>x. recognise and provide for the operation, maintenance, upgrading and development of the National Grid, including by enabling its operation, maintenance and minor upgrading;</u></p> <p>1. manage the adverse effects of infrastructure activities that:</p> <p>a. are in the beds of lakes and rivers, or</p> <p>b. are in the coastal marine area, or</p> <p>c. involve the taking, use, damming or diversion of water or,</p> <p>d. involve the discharge of water or contaminants, and</p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<p>2. require the prioritisation of sites for infrastructure where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised <u>where practicable to do so.</u>"</p>
Method EIT-INF-M5	Oppose	<p>Transpower opposes Method EIT-INF-M4 to the extent that it does not direct district plans to recognise and provide for the National Grid and as such does not give effect to Policy 2 of the NPSET.</p> <p>In addition, Transpower seeks that:</p> <ul style="list-style-type: none"> - Clauses (2) and (3) are amended to reflect that the National Grid and the electricity transmission network are the same thing; - Clause (2) is amended to delete reference to the National Grid distributing electricity because this is not the role of the National Grid (that transmit electricity over long distances); - Clause (4) is amended to better reflect the outcome required by Policy 10 of the NPSET; - Clause (7) is amended to reflect that the adverse effects of significant infrastructure cannot always be minimised (as acknowledged in EIT-INF-PR2 and the preamble to the NPSET). Minimising adverse effects is not required by the NPSET. 	<p>Amend Method EIT-INF-M5 – District plans as follows:</p> <p><i>“Territorial authorities must prepare or amend and maintain their district plans to:</i></p> <p><u><i>x. recognise and provide for the operation, maintenance, upgrading and development of the National Grid, including by enabling its operation, maintenance and minor upgrading;</i></u></p> <ol style="list-style-type: none"> 1. <i>require a strategic approach to the integration of land use and nationally or regionally significant infrastructure,</i> 2. <i>enable planning for the electricity transmission network and National Grid to achieve efficient distribution of electricity,</i> 3. <i>map the electricity transmission network, and in relation to the National Grid and, identify a buffer corridor within which sensitive activities shall generally not be allowed, and</i> 4. <i>manage the subdivision, use and development of land to ensure nationally or regionally significant infrastructure can develop to meet increased demand and to avoid adverse effects, including reverse sensitivity effects on the National Grid,</i> 5. <i>manage the adverse effects of developing, operating, maintaining, or upgrading nationally or regionally significant infrastructure that are on:</i> <ol style="list-style-type: none"> a. <i>the surface of rivers and lakes and on land outside the coastal marine area, and</i> b. <i>the beds of lakes and rivers,</i> 6. <i>ensure that development is avoided where:</i> <ol style="list-style-type: none"> a. <i>it cannot be adequately served with infrastructure,</i> b. <i>it utilises infrastructure capacity for other planned development, or</i> c. <i>the required upgrading of infrastructure is not funded, and</i> 7. <i>require the prioritisation of sites where adverse effects on highly valued natural and physical resources and mana whenua values</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<i>can be avoided or, at the very least, minimised <u>where practicable to do so.</u></i>
Anticipated environmental result EIT-INF-AER5	Support in part	Transpower generally supports EIT-INF-AER5 but seeks that the AER be amended to reflect that the infrastructure in Otago also provides for, and has benefits to, communities in other regions.	Amend EIT-INF-AER5 as follows: <i>“Infrastructure provides safe, effective and efficient services to the Otago community <u>and beyond.</u>”</i>
Anticipated environmental result EIT-INF-AER7	Support in part	Transpower generally supports EIT-INF-AER7 but seeks that the AER be amended to reflect that the outcome sought in provisions (as amend by this submission to give effect to the NPSET) is that nationally and regionally significant infrastructure is protected from direct effects as well as reverse sensitivity effects.	Amend EIT-INF-AER7 as follows: <i>“Nationally and regionally significant infrastructure is protected from <u>adverse effects, including</u> reverse sensitivity effects caused by incompatible activities.”</i>
Anticipated environmental result EIT-INF-AER8	Oppose	<p>Transpower does not support EIT-INF-AER8 because, insofar as the anticipated environmental result relates to the National Grid, the NPSET does not require the adverse effects of the National Grid to be minimised. Further, it is noted that EIT-INF-PR2 acknowledge that infrastructure is likely to have significant adverse effects.</p> <p>Transpower considers that EIT-INF-AER8 does not reflect the management approach set out in the EIT-INF policies and does not reflect the fact that, in terms of the National Grid, adverse effects cannot be minimised. This is recognised in the preamble to the NPSET that states <i>“These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.”</i></p> <p>Transpower proposes using the term ‘managed’ in a similar manner to HAZ-NH-AER5 and as stated in the first paragraph of EIT-INF-E2.</p>	Amend EIT-INF-AER8 as follows: <i>“The adverse effects associated with nationally and regionally significant infrastructure are <u>managed</u> minimised.”</i>
HAZ – Hazards and risks: HAZ-NH – Natural hazards			
Policies HAZ-NH-P3 – New activities	Oppose	<p>Transpower opposes Policy HAZ-NH-P3 because the Policy fails to recognise (and prevents through an ‘avoid’ policy) situations where the operational needs or functional needs of the National Grid necessitate the National Grid being located in, or traversing, an area where the ‘activity’ would be assessed as having a significant risk in terms of APP6 (particularly in the case of likely or possible events).</p> <p>- Clause (1) of the Policy manages the activity (by ‘avoiding’) rather than providing an avenue to manage and reduce the risk in certain situations.</p>	<p>Amend Policy HAZ-NH-P3 as follows: <i>“Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:</i></p> <ol style="list-style-type: none"> <i>1. when the natural hazard risk is significant, the activity is avoided <u>unless the activity is nationally significant infrastructure that has a functional need or operational need for its location and the risk is appropriately managed,</u></i> <i>2. when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and</i>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		Transpower seeks amendment to the Policy to provide for situations where nationally significant infrastructure cannot avoid locating in an area of significant hazard risk.	3. when the natural hazard risk is acceptable, maintain the level of risk.”
HCV – Historical and cultural values: HCV-WT – Wāhi tūpuna			
HCV-WT-P2 – Management of wāhi tūpuna	Oppose	<p>Transpower does not support Policy HCV-WT-P2 on the basis that this Policy does not give effect to the NPSET because the NPSET does not include a requirement for the development of the National Grid to avoid adverse effects (significant or otherwise) on wāhi tūpuna. Further, Transpower considers that the regulatory impact of this Policy is unknown because Policy HCV-WT-P1 provides for the ongoing process of identifying wāhi tūpuna and clause (4) introduces further uncertainty in respect of the types of activities that may be inappropriate and avoided in identified wāhi tūpuna.</p> <p>That said, Transpower acknowledges the importance of sites of significance to mana whenua and suggests that wāhi tūpuna be ‘captured’ by a bespoke policy for the National Grid in the EIT-INF section of the Proposed ORPS (and cross referenced in Policy HCV-WT-P2).</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the management of the potential adverse effects of the maintenance, upgrade and development of the National Grid that, in the event of conflict, prevails over policies in the HCV section of the Proposed ORPS. Amend Policy HCV-WT-P2 to cross reference to this Policy in EIT-INF as follows:</p> <p>“Wāhi tūpuna are protected by:</p> <ol style="list-style-type: none"> 1. avoiding significant adverse effects on the cultural values associated with identified wāhi tūpuna, 2. where adverse effects demonstrably cannot be completely avoided, remedying or mitigating adverse effects in a manner that maintains the values of the wāhi tūpuna, 3. managing identified wāhi tūpuna in accordance with tikaka Māori, 4. avoiding any activities that may be considered inappropriate in wāhi tūpuna as identified by Kāi Tahu, and 5. encouraging the enhancement of access to wāhi tūpuna to the extent compatible with the particular wāhi tūpuna. <p><u>6. managing the effects of the development of the National Grid on wāhi tūpuna in accordance with EIT-INF-Px and (1) and (4) above do not apply.</u>”</p>
HCV – Historical and cultural values: HCV-HH – Historic heritage			
Policies HCV-HH-P5 – Managing historic heritage	Support in part	<p>Transpower generally supports the inclusion of a clear and explicit cross reference to the policies in the EIT-INF section of the Proposed ORPS. Transpower considers that, subject to Transpower’s relief in respect of a new Policy in the EIT-INF section, a further cross-reference should be added to this new Policy to be clear that the management of effects of the National Grid on historic heritage are addressed in this new Policy.</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the management of the potential adverse effects of the maintenance, upgrade and development of the National Grid. Amend Policy HCV-HH-P5 to cross reference to this Policy in EIT-INF as follows:</p> <p>“Protect historic heritage by:</p> <ol style="list-style-type: none"> 1. requiring the use of accidental discovery protocols, 2. avoiding adverse effects on areas or places with special or outstanding historic heritage values or qualities,

Provision	Support/Oppose	Submission/Reasons	Decision Sought
			<p>3. avoiding significant adverse effects on areas or places with historic heritage values or qualities,</p> <p>4. avoiding, as the first priority, other adverse effects on areas or places with historic heritage values or qualities,</p> <p>5. where adverse effects demonstrably cannot be completely avoided, remedying or mitigating them, and</p> <p>6. recognising that for infrastructure, EIT-INF-P13 applies instead of HCV-HH-P5 (1) to (5),</p> <p><u>7. managing the effects of the development of the National Grid on historic heritage in accordance with EIT-INF-Px and (1) and (4) above do not apply</u>”</p>
NFL – Natural features and landscapes			
Policies NFL-P2 – Protection of outstanding natural features and landscapes	Oppose	<p>Transpower does not support Policy NFL-P2 on the basis that this Policy does not give effect to Policy 8 of the NPSET that directs that the development of the National Grid should seek to avoid adverse effects on outstanding natural landscapes. An amendment to the Policy is proposed so that the Proposed ORPS gives effect to Policy 8 of the NPSET.</p> <p>That said, Transpower considers that the most succinct, effective and efficient way to respond to the need to give effect to the NPSET in respect of the particular directions for managing adverse effects of the National Grid is to include a bespoke policy for the National Grid in the Proposed ORPS.</p> <p>Further, as noted in this submission in respect of Policy CE-P1 – Links with other chapters, consideration should be given to applying a similar directive policy in the NFL section of the Proposed ORPS.</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the management of the potential adverse effects of the maintenance, upgrade and development of the National Grid that, in the event of conflict, prevails over policies in the NFL section of the Proposed ORPS.</p> <p>Alternatively, amend Policy NFL-P2 as follows:</p> <p><i>“Protect outstanding natural features and landscapes by:</i></p> <ol style="list-style-type: none"> 1. avoiding adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and 2. avoiding, remedying or mitigating other adverse effects. <u>3. in the case of the development of the National Grid, seeking to avoid adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, and (1) above does not apply.</u>” <p>In addition, consider applying a policy similar to Policy CE-P1 in the NFL section of the Proposed ORPS.</p>
Policies NFL-P3 – Maintenance of highly valued	Oppose	<p>Transpower does not support Policy NFL-P3 on the basis that this Policy does not give effect to the NPSET because the NPSET does not include a requirement for the development of the National Grid to avoid adverse effects on highly valued natural features or landscapes. Transpower seeks</p>	<p>Insert a new Policy in EIT-INF that sets out specific direction in respect of the management of the potential adverse effects of the maintenance, upgrade and development of the National Grid that,</p>

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		In addition, Transpower proposes an amendment to clause (2) to clarify that the Objective relates to the appropriate location of particular activities (as opposed to the 'communities' being in appropriate locations).	<p>9. <i>achieves integration of land use with existing and planned development infrastructure and additional infrastructure and facilitates the safe and efficient ongoing use, <u>maintenance, upgrade and development</u> of regionally significant infrastructure,"</i></p> <p>In respect of the amendment to clause (6), alternatively amend clause (6) to add a cross reference to Policy EIT-INF-P15.</p>
Objectives UFD–O4 – Development in rural areas	Oppose	<p>Transpower opposes Objective UFD-O4 for the following reasons:</p> <ul style="list-style-type: none"> - The Objective seeks an outcome of 'avoidance' in some circumstances/locations for all development in rural areas. Such an approach is inconsistent with the more nuanced direction in other sections of the Proposed ORPS, is inconsistent with Part 2 of the RMA and does not give effect to national policy statements, including the NPSET. Transpower seeks an amendment to clause (1) to achieve consistency within the RPS. - The Objective does not address conflict between incompatible activities in the same or similar way as in Objective UFD-O2. No explanation is given for this. Transpower proposes an amendment to clause (1) to address this in terms of impacts on the National Grid. An alternative approach would be to mirror Objective UFD-O2(6) or cross reference Policy EIT-INF-P15. It is noted that the use of the term 'manage' is consistent with implementing Policy UFD-P3. - There is no rationale for prioritising highly productive soils in clause (2) over all other development (including the development of nationally significant infrastructure). The Section 32 Evaluation Report indicates that this provision is in anticipation of a National Policy Statement for Highly Productive Land. In this regard, Transpower notes that the proposed NPSHPL does not have legal weight and is subject to future amendments in response to the more than 250 submissions made on the proposed version. As such, a requirement for all development to 'avoid' is inappropriately onerous. Transpower suggests a less stringent approach in the absence of any higher order priority having legal effect. 	<p>Amend Objective UFD-O4 as follows:</p> <p><i>Development in Otago's rural areas occurs in a way that:</i></p> <ol style="list-style-type: none"> 1. avoids <i>manages</i> <i>impacts on significant values and features identified in this RPS, and the National Grid, in the manner set out in other sections of this RPS,</i> 2. avoids as the first priority, <i>gives preference to locations that are not on land and soils identified as highly productive by LF–LS–P19 unless there is an operational need for the development to be located in rural areas, ..."</i>
Policies UFD–P3 – Urban intensification	Support	Transpower supports Policy UFD-P6, and particularly clause (6), to the extent that the Policy references the 'management' of adverse effects and	Retain Policy UFD-P3(6) as notified.

Provision	Support/Oppose	Submission/Reasons	Decision Sought
		defers to other sections of the RPS in respect of how this is to be achieved.	
Policies UFD-P4 – Urban expansion	Support in part	For the reasons set out in respect of Policy UFD-P3 (clause (6)), Transpower supports clause (5) of Policy UFD-P4. For the reasons set out in respect of Objective UFD-O4 (clause (2)), Transpower opposes clause (6) of Policy UFD-P4 and suggests a less stringent approach in the absence of any higher order priority having legal effect.	Retain Policy UFD-P4(5) as notified. Amend UFD-P4(6) as follows: “6. avoids, as the first priority, gives preference to locations that are not on land and soils identified as highly productive land identified in accordance with LF-LS-P19, ...”

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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Preamble

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

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

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

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

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

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

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

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

1. Title

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

2. Commencement

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

3. Interpretation

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

Act means the Resource Management Act 1991.

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

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

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

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

Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

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

5. Objective

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

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

6. Recognition of the national benefits of transmission

POLICY 1

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

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

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

7. Managing the environmental effects of transmission

POLICY 2

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

POLICY 3

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

POLICY 4

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

POLICY 5

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

POLICY 6

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

POLICY 7

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

POLICY 8

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

POLICY 9

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

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

POLICY 10

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

POLICY 11

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

9. Maps

POLICY 12

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

10. Long-term strategic planning for transmission assets

POLICY 13

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

POLICY 14

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

Explanatory note

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

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

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