

**From:** [Sharon Aitchison](#)  
**To:** [RPS](#)  
**Cc:** [Megan Justice](#)  
**Subject:** PORPS Further Submission - Network Waitaki Ltd  
**Date:** Friday, 12 November 2021 12:16:30 p.m.  
**Attachments:** [ATT00001.gif](#)  
[Form 6 - Network Waitaki Ltd Further Submissions on PORPS 12 11 21.pdf](#)

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Attention: ORC Policy Team

Please find attached a Further Submission by **Network Waitaki Ltd** with respect to the Proposed Otago Regional Policy Statement 2021. We undertake to serve copies of this further submission on the relevant submitters within 5 working days.

Please acknowledge receipt in due course.

Regards

Sharon (on behalf of Megan Justice)



**Sharon Aitchison**  
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FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT  
OR PLAN, CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

Email: [rps@orc.govt.nz](mailto:rps@orc.govt.nz)

Name **Network Waitaki Limited**

**1. Further submitter details**

Name of further submitter: Network Waitaki Limited (“**NWL**”)

NWL made a submission on the Proposed Otago Regional Policy Statement (“**PORPS**”), being submission number 00320.

**2. Only certain people can make a further submission**

NWL has an interest in the PORPS that is greater than the interest that the general public has on the following grounds:

- a) NWL is an electricity distribution business. It offtakes electricity from the national grid and distributes it to homes, businesses, schools and communities in Oamaru and within rural areas of North Otago and parts of South Canterbury Regions.
- b) NWL is a network utility operator. Network utility operators are defined in the Resource Management Act 1991 (“**the Act**”) and specifically include electricity operators or electricity distributors for the purpose of line function services.
- c) The electricity network owned by NWL in the Otago region comprises high voltage (HV) power lines (above and below ground) which distribute electricity to local zone substations where the voltage is reduced before distribution through medium voltage (MV) power lines (overhead and underground) as seen throughout Otago.

**3. Hearing options**

NWL does wish to be heard in support of its further submission.

If others are making a similar submission, NWL would consider presenting a joint case with them at the Hearing.

**Signature:**

**Network Waitaki Limited**

by its authorised agents Mitchell Daysh Ltd



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**Date:**

12 November 2021

**Electronic address for service:**

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Mitchell Daysh Ltd  
PO Box 489  
DUNEDIN 9054

**Contact person:**

Megan Justice

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Federated Farmers of New Zealand	General submission	00239.195	Significantly review and amend the overly restrictive and prohibitive approach taken within the RPS.	Support	NWL considered that there are significant amendments that are necessary to the ORPS which is evident in the submissions received.	Allow
Royal Forest and Bird Protection Society of New Zealand Incorporated	General submission	00230.003	In relation to the use of effects management hierarchies, seek consistent amendments throughout the RPS to place the emphasis on avoiding the effects in the first place.	Oppose	NWL considered that it is inappropriate to require avoidance in all circumstances.	Disallow
Central Otago Environmental Society	General Submission	00202.001	The general tenor and direction of the ORPS is supported.	Oppose	There are significant amendments that are necessary to the ORPS which is evident by the submissions received.	Disallow
Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited	General Submission	00510.003	Give effect to National Policy Statements, Environmental Standards and Regulations, including the New Zealand Coastal Policy Statement (NZCPS).	Support	It is necessary for the ORPS to give effect to the higher order national documents.	Allow
Federated Farmers of New Zealand	General Submission	00239.199	Amend to recognise that there are deep inconsistencies between the natural character, outstanding natural landscape, and outstanding water body provisions.	Support	Careful drafting of the provisions is required to ensure that the ability to develop important infrastructure is not unnecessarily constrained.	Allow
Dunedin City Council	CE – P4	00139.065	Amend to reflect general comments re use of the word ‘avoid’.	Support	The use of the word ‘avoid’ in objectives and policies can result in unintended outcomes and can unnecessarily restrict infrastructure development.	Allow
New Zealand Infrastructure Commission	Definition	00321.106	<p>Guidance on the definition of nationally significant infrastructure should be provided with reference to the Te Waihanga 30 Year Infrastructure Strategy which is due to be published in March 2022.</p> <p>AND</p> <p>Nationally consistent guidance on the “Regionally Significant” infrastructure would be beneficial. This should include infrastructure that is interdependent (ie one is of little value without the other) or interconnected (part of the same network without which the network as a whole fails) with existing nationally or regionally significant infrastructure.</p> <p>AND</p> <p>There should specifically reference to economic infrastructure without which the economies of Otago cannot function. Including for example those highlighted by the submitters submission as unique to the Otago region and unable to locate outside of the areas listed in EIT–INF–P13 such as ski field infrastructure.</p>	Support	NWL supports the approach sought by the New Zealand Infrastructure Commission.	Allow

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Queenstown Lakes District Council	Definition	00138.029	Amend definitions to add a definition of 'environmental compensation'	Oppose in part	It is unclear at this stage what the wording of such a definition would be.	Disallowed in part
New Zealand Infrastructure Commission	Definition	00321.002	Amend as follows:  The term "mitigate" should be reintroduced because it means "to make less severe", as opposed to minimise or "remedy", which means to repair or fix or make good	Support	NWL considered it inappropriate to require repair in all circumstances.	Allow
Ravensdown Limited	Definition	00121.005	Delete the definition for "Highly valued natural features and landscapes" and as a consequential amendment, remove and/or amend all references to 'highly valued natural features and landscapes'.	Support	NWL supports the deletion of this definition. This definition inconsistent with sections 7(c) and 7(f) of the RMA	Allow
Waka Kotahi NZ Transport Agency	Definition	00305.005	Include a definition of Reverse Sensitivity, and we suggest the following, or similar, definition, which is taken from the Partially Operative Otago RPS 2019:  <u>"The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity."</u>	Support	NWL agrees with the need for and proposed drafting of this definition as proposed in particular, recognises the value of including reference to the intensification of existing sensitive activities, as well as their establishment.	Allow
Meridian Energy Limited	Definitions	00306.012	Include a new definition:  <u>"Upgrade means activities to bring existing structures up to current standards or to improve the functional characteristics of structures, provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity. Within the footprint of authorised renewable electricity generation activities, upgrade also means increasing the generation or transmission capacity, or the efficiency or security of regionally significant infrastructure; and replacing ancillary structures"</u>	Support	NWL supports the amendments being proposed by the submitter to this definition as it adds clarity.	Allow
Aurora Energy Limited	SRMR – Significant Resource Management Issues for the Region	00315.015	Amend as follows:  Add a new significant resource management issue addressing the extent to which the aspirations, challenges and resource management issues are supported by a well – functioning electricity distribution network, suggested drafting as follows:	Support	NWL supports this submission as it is important to recognise this resource management issue in the RPS, and provides context for the relevant provisions.	Allow
Federated Farmers of New Zealand	IM-O1  Integrated Management	00239.034	Amend as follows:  "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 provide, and supports <u>the social, cultural and economic</u> well-being of present and future generations, (mō tātou, ā, mō kā uri ā muri ake nei).	Support	NWL supports the amendments being proposed by the submitter to this objective. The addition of the in recognition of social, cultural and economic effects aligns with section 5 of the RMA.	Allow
Blackthorn Lodge Glenorchy Limited	IM-P10	00119.002	Amend Policy IM-P10 Climate change adaptation and mitigation" as follows:	Support	The changes sought to this policy will enable some development, such as infrastructure, within	Allow

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
			(2) prioritise avoiding the establishment of new activities in areas subject to <u>significant</u> risk from the effects of climate change, unless those activities reduce, or are resilient to, those <u>significant</u> risks, and...		areas identified as being at risk of climate change, when appropriate.	
Aurora Energy Limited	CE – O5	00315.021	Amend Objective CE-05 ‘Activities in the coastal environment’ as follows: “Activities in the coastal environment: .... (3) are only provided for within appropriate locations and limits, or, in the case of <u>infrastructure where there is a functional or operational need, and</u> ....”	Support	NWL supports the amendments being proposed by the submitter to this Objective. It is NWL’s view that this amendment is consistent with the NZCPS Policy 6.	Allow
Dunedin City Council	LF – WAI – P1	00139.081	Consider providing clarification or adding a new policy on priorities when there is conflict between them; e.g. housing development and water needed for drinking water with potential effects on the health and well-being of a water body.	Support in part	Improving clarification to assist the implementation of the ORPS is supported.	Allow
Royal Forest and Bird Protection Society of New Zealand Incorporated	ECO – General	00230.096	Amend the ECO provisions to: - Ensure that all areas meeting the APP2 significance criteria are to be protected - That values identified through mapping will be schedules in the plan but will not be used as a comprehensive list. - That resource consents will include assessment to identify values of any area which meets the significance criteria to provide the best and most recent information - Direct regional and district councils to map significant natural areas within the coastal environment	Oppose	The relief sought by the submitter is unclear and will add uncertainty to the implementation of the RPS.	Disallow
Royal Forest and Bird Protection Society of New Zealand Incorporated	ECO-O2	00230.098	Amend Objective ECO-02 “Restoring and Enhancing” as follows: “A net increase in the extent, <u>quality, quantity and occupancy diversity</u> of Otago’s indigenous biodiversity results from restoration or <del>enhancement</del> and <u>improvement</u> .”	Oppose	‘Quality, quantity and diversity’– too subjective – the terms ‘extent and occupancy’ are recognised ecological terms.	Disallow
Dunedin City Council	ECO-M5	00139.138	Delete Objective ECO – M5(1) District Plans: <i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> to: 1. if the requirements of <u>ECO-P3</u> and <u>ECO-P6</u> are met, provide for the use of <i>land</i> and the surface of <i>water bodies</i> including: a. activities undertaken for the purposes of pest control or maintaining or enhancing the habitats of indigenous fauna, and b. the maintenance and use of existing <i>structures</i> (including <i>infrastructure</i> ), and c. <i>infrastructure</i> that has a <i>functional or operational need</i> to be sited or operated in a particular location,	Support	NWL supports the deletion of ECO-M5(1) and the clarification of ECO_P6 intention. As worded, this objective is unclear.	Allow

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
			Clarify whether the intention is that resource consent applications triggered by district plans are directly assessed against ECO – P6, or that territorial authorities incorporate this policy into district plans			
Royal Forest and Bird Protection Society of New Zealand Incorporated	ECO-M5	00230.114	Add a new clause to Objective ECO-M5 as follows:  (X) in all cases consider whether it may be appropriate to grant consent with conditions or for consent to be declined due to locational circumstances and to achieve other policy and objectives of the RPS.”	Oppose	NWL oppose addition of (x) as this relief is not necessary given the requirements already contained in s104 of the RMA.	Disallow
LAC Properties Trustees Limited	EIT – General	00211.023	Recognise regional importance of development infrastructure, in particular for urban development	Support	NWL considers including a provision that recognises the importance of infrastructure for urban development is a useful addition to this chapter.	Allow
New Zealand Infrastructure Commission	EIT – General	00321.100	Place more emphasis on the benefits of infrastructure to society and the environment, and also on how the environment contributes to infrastructure.	Support	The amendments being sought by the submitter will emphasise the importance of infrastructure.	Allow
New Zealand Infrastructure Commission	EIT – General	00321.104	Enable infrastructure provision in outstanding natural areas	Support in part	The amendments being sought by the submitter will assist with the development of infrastructure in outstanding natural areas, when there is a locational need to do so.	Allow
Transpower New Zealand Limited	EIT – INF – General	00314.001	Revise and update 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.	Support	The amendments being sought by the submitter will emphasise the importance of infrastructure, and assist with the implementation of these provisions.	Allow
Aurora Energy Limited	EIT – INF – General	00315.012	Amend as follows:  Replace all instances of the term “electricity transmission network” with “distribution network” consistent with how that term has been defined in RPS21 with respect to the following provisions • EIT–INF–O6 – Long – term planning for electricity transmission infrastructure • EIT–INF–P16 – Providing for electricity transmission and the National Grid • EIT–INF–M5 – District plans	Support	The amendments being sought by the submitter are consistent with NWTs submission on these definitions and activities.	Allow
Queenstown Airport Corporation	EIT – INF – O5	00313.016	Amend as follows:  “Development of nationally and regionally significant infrastructure, as well as land use change, occurs in a co – ordinated manner to: minimize  (1) <u>avoid, remedy or mitigate</u> adverse effects on the environment, <u>and</u>  (2) <u>ensure the operational and functional needs of the infrastructure is not compromised</u> and increase efficiency in the delivery, operation and use of the infrastructure.”	Support	The amendments being sought by the submitter will emphasise the importance of infrastructure, and the constraints associated with it.	Allow

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Royal Forest and Bird Protection Society of New Zealand Incorporated	EIT – INF – O5	00230.128	Amend as follows:  Development of <i>nationally</i> and <i>regionally significant infrastructure</i> , as well as <i>land</i> use change, occurs in a co-ordinated manner to <u>avoid or</u> minimise adverse <i>effects</i> on the <i>environment</i> and increase efficiency in the delivery, operation and use of the <i>infrastructure</i> .	Oppose	The amendment sought is not necessary, and does not reflect the effects management regime of the RMA.	Disallow
Aurora Energy Limited	EIT – INF – O6	00315.045	Amend as follows:  “Long – term investment in, and planning for the <u>national grid and distribution network</u> <del>electricity transmission infrastructure</del> , and its integration with land use, is sustained.”	Support	This amendment will enable distribution networks to be appropriately provided for, along with transmission.	Allow
Aurora Energy Limited	EIT – INF – P12	00315.048	Amend Policy as follows:  “Provide for upgrades to, and development of, <del>nationally or regionally significant</del> infrastructure while ensuring that:  1) <del>infrastructure</del> is it is designed and located, as far as practicable, to maintain functionality during and after natural hazard events,  2) <del>it is</del> , as far as practicable, co – ordinated with long – term land use planning, and  3) <del>increases efficiency in the delivery, operation and use of the infrastructure is</del> <u>efficient.</u> ”	Support	NWL considers that these outcomes are relevant to all infrastructure.	Allow
Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited	EIT – INF – P14	00510.041	Delete this policy: “When considering proposals to develop or upgrade infrastructure:  (1) require consideration of alternative sites, methods and designs if adverse effects are potentially significant or irreversible, and  (2) utilise the opportunity of substantial upgrades of infrastructure to reduce adverse effects that result from the existing infrastructure, including on sensitive activities.”	Support	NWL supports the deletion of this policy. NWL considers that the word ‘irreversible’ is problematic in this policy, as a less than minor irreversible effects would in this case trigger the need to consider alternatives.	Allow
Aurora Energy Limited	EIT – INF – P15	00315.053	Amend as follows Retain Policy EIT – INF – P15 provided that Significant Electricity Distribution Infrastructure is included in the definition of Regionally Significant Infrastructure;  OR  as consequential relief to that submission, amend the policy as follows:  “Seek to avoid the establishment of activities that may result in reverse sensitivity effects on nationally or regionally significant infrastructure <u>and significant electricity distribution infrastructure</u> , and/or where they may compromise the functional or operational needs of that infrastructure.”	Support	This relief is consistent with the framework sought by NWL in its submission.	Allow



Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Aurora Energy Limited	EIT – INF – P16	00315.054	Delete or include a new as follows:  <u>Recognise and provide for the distribution network by:</u>  (1) <u>providing for development and upgrade, and requiring, as far as practicable, its integration with land use;</u>  (2) <u>Providing for the functional and operational needs of the distribution network;</u>  (3) <u>Enabling the operation, maintenance and minor upgrading of existing distribution network.</u>  (4) <u>Minimising, as far as practicable, adverse effects of the distribution network on existing land uses, including amenity values.</u>  (5) <u>Identifying electricity sub – transmission infrastructure and significant electricity distribution infrastructure and managing effects of potentially incompatible activities.</u>	Support	This relief is consistent with the framework sought by NWL in its submission.	Allow
Federated Farmers of New Zealand	EIT – INF – AER7	00239.131	Delete and replace this Anticipated environmental result as follows: “ <u>Reverse sensitivity effects caused by sensitive activities on nationally and regionally significant infrastructure will be avoided to the extent reasonably possible</u> ”	Oppose	NWL does not consider the proposed wording provides sufficient clarity for this outcome.	Disallow
Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited	HAZ – Hazards and risks General	00510.059	Amend as follows:  Policy X – <u>Avoid duplication of hazardous substance controls provided by other legislation.</u>	Support	NWL agrees that duplication of controls for hazardous substances should be avoided.	Allow
Aurora Energy Limited	HAZ – NH – P3	00315.061	Amend policy as follows:  “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:  (1) <u>when the natural hazard risk is significant, the activity is avoided unless the activity is nationally or regionally significant infrastructure that has a functional need or operational need for its location and the risk is appropriately managed, ...</u>	Support	NWL considers that the changes sought to this policy is appropriate and practicable.	Allow
Chorus, New Zealand Limited, Spark New Zealand Trading Limited and Vodafone New Zealand	HAZ – NH – P8	00310.010	Amend as follows:  “Locate, relocate, and <del>design lifeline utilities and facilities</del> for essential and emergency services to: ...  (2) <u>Take into account their operational co – dependence with other lifeline utilities and essential services to ensure their effective operation.</u> ”	Support	NWL considers the relief sought to be appropriate	Allow
Aurora Energy Limited	HCV – WT – P2	00315.069	Amend as follows:  Delete Clause 4 Policy HCV – WT – P2  OR	Support in part	NWL supports the inclusion of clause 6 to this policy. This relief is consistent with the framework sought by NWL in its submission.	Allow

Submitter	RPS Chapter	Original submission point number	Submission summary	Support or Oppose	The reasons for my support/opposition are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
			Amend by inserting the following clause “... 6) <u>recognising that for infrastructure, EIT – INF – P13 applies instead of HCV – WT – P2(1) to (5).</u>			
Meridian Energy Limited	NFL – O1	00306.068	Amend as follows:  NFL – O1 – Outstanding and highly-valued natural features and landscapes  The areas and values of Otago’s outstanding and highly-valued natural features and landscapes are identified, and the use and development of Otago’s natural and physical resources results in: (1) the protection of outstanding natural features and landscapes, and (2) the maintenance or enhancement of highly-valued natural features and landscapes.	Support	The relief sought reflects Part 2 of the RMA.	Allow
Meridian Energy Limited	NFL – P4	00306.071	Amend as follows:  “Promote restoration of the areas and values of outstanding and highly-valued natural features and landscapes where those areas or values have been reduced or lost. “	Support	The relief sought reflects Part 2 of the RMA.	Allow
New Zealand Infrastructure Commission	NFL – PR1	00321.037	Amend as follows:  Revise the provisions to provide clarity on:  • how this provision should be ‘read together’ with enabling policies in other topics that refer to the functional and operational needs of infrastructure to locate in certain environments.  • Meaning of “value” in the context of contributing to an ‘ONL’ or ‘ONF’	Support	Additional clarity is required to set out how conflicting provisions are to be implemented and ensuring the enabling provisions for infrastructure are not overlooked.	Allow
Aurora Energy Limited	UFD – Urban form and development General	00315.081	amend as follows:  Add a new sub – clause to each policy of the following polices UFD – P3; UFD – P5; UFD – P6 ; UFD – P7 ; UFD – P8 as follows:  “...  (X) <u>Recognise and provide for the distribution network by identifying electricity sub – transmission infrastructure and significant electricity distribution infrastructure and managing effects of potentially incompatible activities.</u>  AND  Any further or consequential relief to M1 – M3 to reflect submission sought.	Support	This relief is consistent with the framework sought by NWL in its submission.	Allow