



TRANSPOWER

Keeping the energy flowing

Gate 1
Gridco Road
Otara, Auckland 2023
P O Box 17 215
Greenlane, Auckland 1546
New Zealand
P 64 9 590 6000
F 64 9 589 2310
www.transpower.co.nz

Rebecca Eng

Tel: 09 590 7072

Email: environment.policy@transpower.co.nz

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By email: c/- Audrey.Benbrook@wmk.govt.nz

**For the Attention of the Hearings Panel – Waimakariri Proposed District Plan – Hearing Stream 11:
Temporary Activities and Council Designations.**

Transpower New Zealand Limited (“Transpower”) writes in relation to Hearing Stream 11 being the hearing of submissions on the Proposed Waimakariri District Plan on Council Designations and Temporary Activities, commencing on 15 April 2024.

Transpower has reviewed the ‘Officer’s Report: Tautapa – Designations (District Council)’ and Officer’s Report: Ngā mahi taupua - Temporary Activities (“Section 42A Reports”), dated 7 March 2024, and agrees with, or accepts, the recommendations therein.

On this basis, Transpower has elected not to be heard or to file evidence in relation the parts of its submission that are being considered in Hearing Stream 11. That said, Transpower is available to respond to any questions the Proposed District Plan Hearings Panel may have.

Attachment A to this letter outlines the relief sought by Transpower, the S42A recommendations, and Transpower’s response.

Should the Panel require clarification on any matter, please contact Rebecca Eng at Transpower (09 590 7072), or on the following email: environment.policy@transpower.co.nz.

Yours faithfully

Rebecca Eng


Technical Lead – Policy

Transpower New Zealand Limited

Submission reference and provision	Relief sought by Transpower	Section 42A Report Recommendation	Transpower’s Position
Ngā mahi taupua - Temporary Activities			
<p>195.110 TEMP – Ngā mahi taupua – Temporary Activities Other potentially relevant District Plan provisions</p>	<p>Support in part Transpower does not oppose the Proposed District Plan provisions that relate to temporary activities. However, Transpower considers that the provisions do not include a clear direction that the rules that relate to activities in the National Grid Yard apply to temporary activities. In order to confirm that this is the case, and therefore to give effect to Policies 10 and 11 of the NPSET, Transpower seeks an amendment to the rule guidance in ‘other potentially relevant District Plan provisions’.</p> <p>Amend ‘Other potentially relevant District Plan provisions’ as follows: “As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to temporary activities include:</p> <ul style="list-style-type: none"> • • ... Energy and Infrastructure: this chapter applies for temporary infrastructure <u>and Rules EI-R51, EI-R52 and EI-R53 apply to temporary activities in the National Grid Yard.</u> <p>...”</p>	<p>The Section 42A Report recommends that Transpower’s submission be accepted in part and comments as follows: <i>“91. I agree with this submission, in that there is a lack of clarity as to what rules, if any, of the Energy and Infrastructure chapter applies to temporary activities. Mr Maclennan (author of the Energy and Infrastructure chapter s42A report) has recommended providing clarity in the Energy and Infrastructure Chapter with a ‘How to interpret and apply the rules’ section in his Council reply report for this Chapter. However, clarity is also needed in the Temporary Activities chapter to confirm which rules in Energy and Infrastructure chapter apply to temporary activities. Mr Maclennan’s Council reply version of the Energy and Infrastructure Chapter has deleted EI-R53 Any quarry or landfill, has included EI-R52A Earthworks within a National Grid Yard, and has amended EI-R52 to only be in relation to Earthworks for installation of fence posts.</i> <i>92. I consider the amendments suggested by Trustpower better gives effect to Policies 10 and 11 of the NPSET and improves consistency with the district plans of neighbouring Councils. The amendments would improve readability of the provisions and give better effect to Policy 16.3.4 of the RPS. The RPS sets out objectives, policies and methods to resolve resource management issues</i></p>	<p>Transpower acknowledges and accepts the Section 42A Report recommendation.</p>

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		<p><i>facing the Canterbury region, which includes providing a reliable and resilient electricity transmission network within Canterbury. The amendments would also be more consistent with district plans for Hurunui District and Christchurch City and the Partially Operative District Plan for Selwyn District.</i></p> <p><i>93. Therefore, I consider that the amendments sought after by Transpower will provide clarity to readers of the Temporary Activities chapter that clearly outlines all potentially relevant chapters that apply for any temporary activity. As a result I recommend that this submission point by Transpower be accepted in part as the rules referenced in the submission have been subsequently changed in Mr Maclennan's Council reply's version of the Energy and Infrastructure chapter. In addition, I have recommended for clarity in the chapter, that the wording refers any temporary activity within the National Grid Yard and that the Energy and Infrastructure chapter provides for temporary activities."</i></p> <p>The recommended text is as follows: <i>"Energy and Infrastructure: this chapter applies for temporary infrastructure.</i> <u>1. this chapter provides for temporary infrastructure activities (refer to rule EI-R9 Use of temporary infrastructure); and</u> <u>2. where a temporary activity is located within the National Grid Yard, rules EI-R51 Activities and development (other than earthworks) within a National Grid Yard, EI-R52 Earthworks and the</u></p>	

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		<u><i>disturbance of land for the installation of fence posts within a National Grid Yard, and EI-R52A Earthworks within a National Grid Yard apply.</i></u>	
Tautapa – Designations (District Council)			
<p>195.114 WDC – Waimakariri District Council Designation WDC-5 Rangiora Transfer Station</p>	<p>Oppose Transpower opposes proposed designation WDC-5 on the basis that the notice of requirement for the designation, including the accompanying conditions, fails to consider possible adverse effects of the ongoing use of the site on the operation, maintenance, upgrading and development of the existing National Grid assets that are located within the eastern boundary of the site. Examples of activities on the site that could compromise the National Grid could include fencing, tree planning, stockpiling, earthworks, operation of mobile plant and any physical barriers that may prevent access to National Grid structures.</p> <p>Further, the notice of requirement for the designation fails to identify the NPSET or a number of CRPS provisions, including Policy 16.3.4, as relevant considerations and therefore has not had particular regard to all relevant higher order documents and other matters in section 171 of the RMA in reaching a flawed conclusion that the proposed designation is “consistent with the principles and purpose of the RMA”.</p> <p>Withdraw the notice of requirement for Designation WD-5 until such time as a notice of requirement for a designation is given that includes:</p>	<p>The Section 42A Report includes the following commentary:</p> <p><i>“62. WDC-5 Rangiora Transfer Station: The eastern requirement boundary has been shifted to the west to provide separation distances from the transmission lines and pylons consistent with agreement reached by the District Council (as requiring authority) with Transpower (submitter). The boundary adjustment is to accommodate the National Grid Yard. Based on this agreement I understand there is no remaining issue Transpower wishes to pursue. I am satisfied that this agreement achieves an outcome that continues to provide for the purpose of WDC-5 and the operational requirements of both the transfer station and transmission lines.</i></p> <p>...</p> <p><i>67. Based on the above assessment, I recommend the following:</i></p> <ul style="list-style-type: none"> • <i>WDC-5 Rangiora Transfer Station: As agreement has been reached, that the requirement be confirmed based on the revised designation plan dated 14/02/2022 attached in Appendix E.</i> <p>...</p> <p><i>68. In my opinion, the modification to WDC-5 Rangiora Transfer Station is the most appropriate</i></p>	<p>Transpower is grateful of the opportunity to engage with the District Council in respect of its submission and confirms that the outcome of this engagement is correctly reflected in the Section 42A Report. As such, Transpower acknowledges and accepts the Section 42A Report recommendation.</p>

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	<ul style="list-style-type: none"> • an assessment of the potential effects of the proposed designation on the National Grid is completed; • an assessment of all relevant provisions of the CRPS and the NPSET; • methods to avoid potential adverse effects are proposed; and • these methods are embedded through conditions proposed to be imposed on a confirmed designation. 	<p><i>to achieve the purpose of the RMA. In particular, I consider that:</i></p> <ul style="list-style-type: none"> • <i>The change results in no additional potential adverse effects and no change of consequence to the designation as the functional area of the transfer station will remain encompassed within the area subject to the designation.</i> • <i>The additional condition and revised plan will accommodate the National Grid Yard and avoid adverse effects on the transmission lines and support structures."</i> <p>The new Condition is as follows: <u>"12. Designation WDC-5 applies within the area shown on the plan labelled 'Southbrook Transfer Station' dated 14/02/2022 held on Waimakariri District Council file WDC-5."</u></p> <p>The revised designation plan is pasted below:</p> 	
195.115 WDC – Waimakariri District Council Designation WDC-45 New Road, River	<p>Oppose Transpower opposes Proposed Designation WDC-45 on the basis that the notice of requirement for the designation, including the accompanying conditions, fails to consider possible adverse effects of the establishment, use and maintenance of a new road (the activity for which the designation is sought) on the operation,</p>	<p>The Section 42A Report includes the following commentary: <i>"63. WDC-45 Lehmans Road/River Road link: Negotiations between the District Council (as requiring authority) and Transpower (submitter) have reached agreement on conditions to be included in the designation. Transpower's concerns</i></p>	<p>Transpower is grateful of the opportunity to engage with the District Council in respect of its submission and</p>

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<p>Road to Lehmans Road</p>	<p>maintenance, upgrading and development of the existing National Grid assets that are located within (and alongside) the proposed designation. The notice of requirement concludes that the effects of the construction of the new road are minor, but does not set out how this conclusion has been reached in respect of the potential impacts on the nationally significant National Grid. Examples potential effects that have not been considered include:</p> <ul style="list-style-type: none"> • earthworks and land disturbance destabilising support structures; • electrical hazards (flashovers) cause by dust on conductors and insulators; • induced and transferred voltages, and earth potential rise, where conductive material is in close proximity to support structures; and • conductor to ground or mobile plant clearance violations (and possible risk of conductor contact). <p>In addition, the notice of requirement for the designation fails to identify the NPSET or a number of CRPS provisions, including Policy 16.3.4, as relevant considerations and therefore has not had particular regard to all relevant higher order documents and other matters in section 171 of the RMA in reaching a flawed conclusion that the proposed designation is “consistent with the principles and purpose of the RMA”.</p> <p>Withdraw the notice of requirement for Designation WD-45 until such time as a notice of</p>	<p><i>related to detail design matters to ensure there are no adverse effects to the safe and efficient function of the transmission lines. Technical assessments have been completed with regard to safe clearances (NZECP34) to the transmission lines and support structures and earth potential rise (EPR) resulting from activities associated with the proposed requirement. The conclusions of these assessments are that clearances required by NZECP34 can be achieved and that there are detailed design methods available to avoid EPR issues. I am satisfied that the agreed conditions address the points raised in the submission and that the agreed conditions will allow the designation to function as intended.</i></p> <p>...</p> <p><i>67. Based on the above assessment, I recommend the following:</i></p> <p>...</p> <ul style="list-style-type: none"> • <i>WDC-45 Lehmans Road/River Road new road: That the designation be confirmed based on conditions agreed between the District Council (as requiring authority) and Transpower (submitter) and recommended in Appendix A.</i> <p>...</p> <p><i>69. In my opinion, the addition of agreed conditions to WDC-45 Lehmans Road/River Road new road and WDC-47 Rangiora East Road Connection, and additional recommended conditions of ecological and operational traffic assessment related to WDC-47, will achieve the most appropriate outcome to</i></p>	<p>confirms that the outcome of this engagement is correctly reflected in the Section 42A Report and recommended conditions. As such, Transpower acknowledges and accepts the Section 42A Report recommendation.</p>

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	<p>requirement for a designation is given that includes:</p> <ul style="list-style-type: none"> • an assessment of the potential effects of the proposed designation on the National Grid is completed; • an assessment of all relevant provisions of the CRPS and the NPSET; • methods to avoid potential adverse effects are proposed; and • these methods are embedded through conditions proposed to be imposed on a confirmed designation. 	<p><i>achieve the purpose of the works and the RMA. In particular, I consider that:</i></p> <ul style="list-style-type: none"> • <i>The addition of agreed conditions will provide a basis for avoidance of adverse effects on the transmission lines and support structures and ensure the ongoing safe and efficient operation of the transmission lines.</i> <p><i>...”</i></p>	
<p>195.116 WDC – Waimakariri District Council Designation WDC-47 Rangiora East Road Connection</p>	<p>Oppose Transpower opposes Proposed Designation WDC-47 on the basis that the notice of requirement for the designation, including the accompanying conditions, fails to properly consider possible adverse effects of the establishment, use and maintenance of a new road (the activity for which the designation is sought) on the operation, maintenance, upgrading and development of the existing National Grid assets that are located within (and traverse) the proposed designation. The notice of requirement concludes that the effects of the construction of the new road are minor, but does not set out how this conclusion has been reached in respect of the potential impacts on the nationally significant National Grid. Examples potential effects that have not been considered include:</p> <ul style="list-style-type: none"> • earthworks and land disturbance destabilising support structures; 	<p>The Section 42A Report includes the following commentary:</p> <p><i>“64. WDC-47 Rangiora East Road Connection: Negotiations between the District Council (as requiring authority) and Transpower (submitter) have reached agreement on conditions to be included in the designation. Transpower’s concerns related to detail design matters to ensure there are no adverse effects to the safe and efficient function of the transmission lines. Technical assessments have been completed with regard to safe clearances (NZECP34) to the transmission lines and support structures and earth potential rise (EPR) resulting from activities associated with the proposed designation. The conclusions of these assessments are that clearances required by NZECP34 can be achieved and that there are detailed design methods available to avoid EPR issues. I am satisfied that the agreed conditions address the points raised in the submission and</i></p>	<p>Transpower is grateful of the opportunity to engage with the District Council in respect of its submission and confirms that the outcome of this engagement is correctly reflected in the Section 42A Report and recommended conditions. As such, Transpower acknowledges and accepts the Section 42A Report recommendation.</p>

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	<ul style="list-style-type: none"> • electrical hazards (flashovers) cause by dust on conductors and insulators; • induced and transferred voltages, and earth potential rise, where conductive material is in close proximity to support structures; and • conductor to ground or mobile plant clearance violations (and possible risk of conductor contact). <p>In addition, the notice of requirement for the designation fails to identify the NPSET or a number of CRPS provisions, including Policy 16.3.4, as relevant considerations and therefore has not had particular regard to all relevant higher order documents and other matters in section 171 of the RMA in reaching a flawed conclusion that the proposed designation is “consistent with the principles and purpose of the RMA”.</p> <p>Further, Transpower notes that the notice of requirement concludes in respect of the transmission lines that “the designation as it stands is appropriate to allow the issues to be properly mitigated at the time of design and construction”. Transpower does not agree with this statement and considers that it is not clear how the proposed designation achieves this mitigation.</p> <p>Withdraw the notice of requirement for Designation WD-45 until such time as a notice of requirement for a designation is given that includes:</p> <ul style="list-style-type: none"> • an assessment of the potential effects of the proposed designation on the National Grid is completed; 	<p><i>that the agreed conditions will allow the designation to function as intended.</i></p> <p>...</p> <p><i>67. Based on the above assessment, I recommend the following:</i></p> <p>...</p> <ul style="list-style-type: none"> • <i>WDC-47 Rangiora East Road Connection: That the designation be confirmed based on conditions agreed between the District Council (as requiring authority) and Transpower (submitter) and recommended in Appendix A and also to recommend additional conditions requiring ecological mitigation and assessments during and following construction, and an updated operational traffic assessment to form part of an Outline Plan for the works.</i> <p>...</p> <p><i>69. In my opinion, the addition of agreed conditions to WDC-45 Lehmans Road/River Road new road and WDC-47 Rangiora East Road Connection, and additional recommended conditions of ecological and operational traffic assessment related to WDC-47, will achieve the most appropriate outcome to achieve the purpose of the works and the RMA. In particular, I consider that:</i></p> <ul style="list-style-type: none"> • <i>The addition of agreed conditions will provide a basis for avoidance of adverse effects on the transmission lines and support structures and ensure the ongoing safe and efficient operation of the transmission lines.</i> <p>...”</p>	

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	<ul style="list-style-type: none"> • an assessment of all relevant provisions of the CRPS and the NPSET; • methods to avoid potential adverse effects are proposed; and • these methods are embedded through conditions proposed to be imposed on a confirmed designation. 		