

Taranaki Regional Council

Document No: 2372939

18 NOV 2019

Document No of Reply:

ENV-2019-WLG-

In the Environment Court of New Zealand  
at Wellington

I mua i te Kōti Taiao o Aotearoa  
Te Whanganui a Tara Rohe

*under:* the Resource Management Act 1991

*in the matter of:* an appeal under clause 14 of Schedule 1 of the  
Resource Management Act 1991

*between:* **Transpower New Zealand Limited**  
*Appellant*

*and:* **Taranaki Regional Council**  
*Respondent*

Notice of appeal by Transpower New Zealand Limited against  
decisions on the Proposed Coastal Plan for Taranaki

---

Dated: 14 November 2019

**NOTICE OF APPEAL BY TRANSPOWER NEW ZEALAND LIMITED AGAINST  
DECISIONS ON THE PROPOSED COASTAL PLAN FOR TARANAKI**

*Clause 14(1) of First Schedule, Resource Management Act 1991*

**To** The Registrar  
Environment Court  
Wellington

**Introduction**

- 1 Transpower New Zealand Limited (*Transpower*) appeals against parts of a decision of the Taranaki Regional Council (*Council*) on the Proposed Coastal Plan for Taranaki (*Proposed Plan*) (*Decision*).
- 2 Transpower made a submission and further submission on the Proposed Plan.
- 3 Transpower is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 4 Transpower received notice of the Decision on 4 October 2019.
- 5 The Decision was made by the Council.
- 6 The parts of the Decision that Transpower is appealing are:
  - 6.1 Policy 6; and
  - 6.2 New Rule 22A.

**Reasons for the appeal**

- 7 Transpower is generally supportive of the Decision and the inclusion of Policy 6 and New Rule 22A. However, Transpower considers that minor amendments are needed to the wording of Policy 6 and Rule 22A to ensure that the Decision:
  - 7.1 Accords with the relevant requirements of Part 2 of the RMA;
  - 7.2 Gives effect to the National Policy Statement on Electricity Transmission (*NPSET*), particularly Policies 2, 3, 4, 5 and 8 of the NPSET;
  - 7.3 Promotes the sustainable management of natural and physical resources;
  - 7.4 Promotes the efficient use and development of natural and physical resources;
  - 7.5 Results in the most appropriate plan provisions in terms of section 32 of the RMA;
  - 7.6 Implements Council's functions under section 30 of the RMA; and
  - 7.7 Accord with best resource management practice.

7.8 Without limiting the generality of the reasons at paragraph 7.1 above, the specific reasons for the appeal are:

- (a) The Proposed Plan must "give effect to" the NPSET, the New Zealand Coastal Policy Statement 2010 (*NZCPS*) and the Taranaki Regional Policy Statement (*RPS*). The NPSET and the NZCPS are both national level documents that sit on the same level of the planning hierarchy;
- (b) The NPSET requires the Proposed Plan to recognise and provide for the effective operation, maintenance, upgrading and development of the National Grid. The NPSET was intended to provide a comprehensive management regime for the National Grid. Policies 3 and 4 require decision-makers to have regard to the technical and operational requirements of the National Grid and the route, site and method selection process. Policy 8 requires Transpower to "seek to avoid" adverse effects on high value natural environments, including within the coastal environment;
- (c) The Taranaki RPS includes provisions which recognise the National Grid and provide for National Grid related activities in the Coastal Environment;<sup>1</sup>
- (d) Non-complying activity status is not an appropriate method for managing the effects of National Grid infrastructure, including supporting and ancillary infrastructure; and
- (e) The additional specific reasons set out in **Appendix A** to this notice.

**Relief sought**

8 Transpower seeks the following relief:

- 8.1 The relief set out in **Appendix A** to this notice (or relief with the same or similar effect, including provisions specific to the National Grid);
- 8.2 Such further or consequential relief as may be necessary to address the matters raised in Transpower's submissions and this appeal; and
- 8.3 Costs.

9 The following documents are attached to this notice:

- 9.1 A copy of Transpower's submission and further submission (**Appendix B**);
- 9.2 A copy of the relevant parts of the Decision (**Appendix C**); and
- 9.3 A list of names and addresses of persons to be served with a copy of this notice (**Appendix D**).

---

<sup>1</sup> See in particular Policy 3, Methods 7 and 18 and Chapters 8 and 14.

**Signed** for and on behalf of Transpower New Zealand Limited by its solicitors and authorised agents Chapman Tripp



---

Luke Hinchey  
Partner  
14 November 2019

Address for service of person:

Transpower New Zealand Limited  
c/- Luke Hinchey / Rebecca Tompkins  
Chapman Tripp  
Level 38  
23 Albert St  
PO Box 2206  
Auckland 1140  
Email address: [Luke.Hinchey@chapmantripp.com](mailto:Luke.Hinchey@chapmantripp.com) / [rebecca.tompkins@chapmantripp.com](mailto:rebecca.tompkins@chapmantripp.com)

**Advice to recipients of copy of notice of appeal***How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and (or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

**APPENDIX A**

Provision appealed	Reasons for appeal	Relief sought (Changes are tracked with additions <u>underlined</u> and deletions shown in <del>strike</del> through)
Policy 6	Policy 6 is a general enabling policy for regionally important infrastructure. It requires that the benefits of new regionally important infrastructure (including the National Grid) be recognised. However, Policy 6 does not require the benefits of the National Grid to be provided for, or that the safe and efficient development of the National Grid be provided for. Transpower considers that, in order to properly give effect to the NPSET, Policy 6 should be amended to require that the benefits of the National Grid and the safe and efficient development of the National Grid be provided for.	Amend Policy 6 as follows:  Recognise <u>and provide</u> for the benefits of new and existing regionally important infrastructure to the social, economic and cultural well-being of people and communities in Taranaki, and provide for the safe and efficient operation <u>and development</u> of regionally important infrastructure subject to the appropriate avoid, remediation or mitigation of adverse environmental effects.
New Rule 22A	Transpower supports the inclusion of Rule 22A, which provides a restricted discretionary activity status for new National Grid infrastructure within areas of Outstanding Value and Estuaries Unmodified within the CMA. However, the wording within the rule is unclear as to whether it includes the support structures and associated ancillary National Grid infrastructure. The Decision records that restricted discretionary activity status is an appropriate pathway for the National Grid. However, the wording of Rule 22A could be interpreted as only allowing for the transmission line and conductor. Therefore, Transpower considers that amendments to the wording of Rule 22A are required to clarify that it covers all National Grid infrastructure, including support structures and associated ancillary infrastructure.	Amend Rule 22A as follows:  Placement or erection of a network utility structure where the structure is:  a) a pipeline that is buried or attached to a bridge, wharf or access structure;  b) an outfall structure which does not come within or comply with Rule 18;  c) an intake structure;  d) a communication or electricity cable or line <u>(including any Transmission Lines as defined in the Resource Management (National</u>

		<p><u>Environmental Standards for Electricity Transmission Activities) Regulations 2009); or</u></p> <ul style="list-style-type: none"><li>e) occupation of space in the common marine and coastal area;</li><li>f) disturbance of the foreshore or seabed; and</li><li>g) discharge of sediment</li></ul> <p>and does not come within or comply with Rule 22.</p> <p>Note: If the activity does not come within this Rule refer to Rule 33 or Rule 34 depending on the coastal management area involved.</p>
--	--	---

**APPENDIX B – COPY OF TRANSPOWER’S SUBMISSION AND FURTHER  
SUBMISSION**



# Submission by Transpower New Zealand Ltd on the Proposed Taranaki Regional Coastal Plan

27 April 2018

*Keeping the energy flowing*



TRANSPOWER



**ADDRESS FOR SERVICE**

Transpower New Zealand Limited

C/- Boffa Miskell Limited

Huddart Parker Building

PO Box 11340

Wellington 6142

Attention: Pauline Whitney

Email: [pauline.whitney@boffamiskell.co.nz](mailto:pauline.whitney@boffamiskell.co.nz)

Ph: 04 901 4290

(Address for Service)

**APPROVED FOR RELEASE**

**FORM 5**  
**SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED**  
**ON THE PROPOSED COASTAL PLAN FOR TARANAKI**  
**UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO**  
**THE RESOURCE MANAGEMENT ACT 1991**

**To: PCPT, Taranaki Regional Council, Private Bag 713, Stratford 4352**

Proposed CPS  
Taranaki Regional Council  
Private Bag 713  
Stratford 4352  
By email: [coastal@trc.govt.nz](mailto:coastal@trc.govt.nz)

**Name of Submitter:**

Transpower New Zealand Ltd

**This is a submission to the Proposed Coastal Plan for Taranaki**

**Transpower could not gain advantage in trade competition through this submission**

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

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

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

Signature of submitter

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

**Date: 27 April 2018**

## SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON THE PROPOSED COASTAL PLAN FOR TARANAKI

### Overview

The following provides specific submission points from Transpower New Zealand Limited ("Transpower") on the Proposed Coastal Plan for Taranaki ("PCPT").

The submission has been prepared to assist the Council in ensuring the planning framework under the PCPT appropriately recognises and provides for the National Grid. Specifically, from Transpower's perspective, the provisions of the PCPT need to ensure that it:

- Gives effect to the National Policy Statement on Electricity Transmission 2008 ("NPSET" or "NPS");
- Recognises the need to sustainably manage the National Grid as a physical resource of national significance;
- Recognises the benefits of the National Grid at local, regional and national levels; and
- Provides for the effective operation, maintenance, upgrading and development of the National Grid.

In general, the approach adopted in the PCPT is broadly supported by Transpower; specifically, the provision of a framework of objectives, policies and rules that recognises and appropriately provides for the benefits of Regionally Important Infrastructure (including the National Grid) where it is located within the coastal environment. In particular, the policy framework makes appropriate recognition of the constraints imposed on regionally important infrastructure to avoid, remedy or mitigate adverse effects due to their functional or locational requirements. However, Transpower considers that a number of amendments are still required to provide further clarification and to better reflect the direction and scope of the NPSET in the PCPT.

### Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and 167 substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

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

Transpower's Statement of Corporate Intent for July 2017 to July 2020, 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 has to be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient Regional Coastal Plan where it may affect the National Grid, including possible future changes.

### **Taranaki Region Transmission Assets**

Transpower has a number of overhead transmission line, substation and telecommunications assets within the Taranaki Region, comprising the following:

- Brunswick-Stratford A double circuit 220kV transmission line on steel towers;
- Wanganui-Stratford A single circuit 110kV transmission line on pi poles;
- Stratford-Taumarunui A double circuit 220kV transmission line on steel towers;
- Opunake-Stratford A double circuit 110kV transmission line on steel towers;
- New Plymouth-Stratford A double circuit 220kV transmission line on steel towers;
- Carrington Street-Stratford A double circuit 110kV transmission line on steel towers;
- Motunui-Dev A double circuit 110kV transmission line on steel towers;
- Carrington Street-New Plymouth A double circuit 110kV transmission line on steel towers;
- Carrington Street-Huirangi A double circuit 110kV transmission line on steel towers;
- Huirangi-Motunui A single circuit 110kV transmission line on steel towers;
- Waverley Substation;
- Hawera Substation;
- Opunake Substation;
- Stratford Substation;
- Huirangi Substation;
- Motunui Substation;
- Carrington Street Substation; and
- New Plymouth Substation.

In addition to the above, there are three telecommunications sites: Kapuni, Tahurangi and New Plymouth. Attached as Appendix 1 is a map of Transpower's assets in the Taranaki Region.

None of Transpower's existing structures are located within Taranaki's Coastal Marine Area ("CMA") as identified in the PCPT. The Transpower assets nearest to the CMA are the New Plymouth and Motunui Substations. The New Plymouth substation is to be decommissioned due to Port Taranaki requiring the site for its own purposes. The future of Transpower's assets on this site are yet to be determined. While the substation itself is outside any areas of identified significance, one of the lines coming out of the substation traverses a part of one of the identified areas of Outstanding Natural Character ("ONC") and Outstanding Natural Landscapes and Features ("ONFL"), near the base of Paritutu: the Ngā Motu (Sugar Loaf Islands) and Tapuae ONC3, ONFL2. However, it is noted that the line and support structure are outside the indicative CMA line as identified in the PCPT, and so in

accordance with paragraph 1.4.2 of the PCPT, are not subject to the rules in the plan. Attached as Appendix 2 is a map of the New Plymouth Substation Assets and PCPT mapping.

## **Statutory Framework**

### *National Policy Statement on Electricity Transmission*

The National Policy Statement on Electricity Transmission was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid, and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as Appendix 3.

The one objective of the NPSET is as follows:

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

- a. Managing the adverse environmental effects of the network; and*
- b. Managing the adverse effects of other activities on the network.*

The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environment effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant.

Policy 1 of the NPSET provides that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy, development and use of new electricity generation, and enhanced supply.

Policies 2 to 9 provide RMA decision-makers direction for managing the environmental effects of transmission activities.

Policy 2 is as follows:

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

Policies 3 to 5 contain matters to which decision-makers must consider or have regard, including:

- the constraints imposed on avoiding, remedying or mitigating adverse effects by the technical and operational requirements of the network
- the role of the route, site and method selection process in avoiding, remedying or mitigating adverse effects for new or major upgrades of transmission infrastructure, and
- the enablement of the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

Policies 6 to 8 relate to Transpower's responsibilities under the NPSET, with Policy 6 promoting the reduction of existing adverse effects where substantial upgrades of transmission line infrastructure are undertaken. Policies 7 and 8 relate to circumstances in which the effects of transmission

infrastructure could be reduced, minimised or avoided in urban and rural environments. Policy 9 specifically relates to standards for dealing with electric and magnetic fields.

Policy 8 is as follows:

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

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of third party activity on the transmission network. Policy 10 is as follows:

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

Policy 11 relates to the development of buffer corridors.

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Policies 13 and 14 relate to the long-term strategic planning for transmission assets. Under Policy 14, regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Section 67(3)(a) of the RMA requires that Regional Plans must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it<sup>1</sup>.

It is therefore a requirement that local policy reflects national direction and that the local policy is effective in helping support the integrated management of natural and physical resources within the coastal environment, as well as across the region as a whole.

#### *Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009*

The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (NESETA) came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines.

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. Potentially, as the regulations include electricity transmission activities relating to the use of land or occupation of the coastal marine area, NESETA may have direct relevance to the PCPT; however, as Transpower has no existing assets in Taranaki's coastal marine area, NESETA is not directly applicable. As noted above though, a small proportion of a transmission line connecting to the New Plymouth substation traverses an identified ONC and ONFL: Any works on that line which may trigger resource consent under NESETA or which may require consent as a new transmission line, may therefore need consideration of the objectives and policies of the PCPT. As such, the PCPT policy framework is of relevance to the National Grid, in addition to new grid assets that could be located in the CMA.

---

<sup>1</sup> Environmental Defence Society Inc v the New Zealand King Salmon Co Ltd [2014] NZSC 38, [2014] 1 NZLR593 (*King Salmon*) Most recently, reaffirmed in Royal Forest and Bird Protection Society of NZ Inc v Bay of Plenty Regional Council [2017] NZHC 3080 [12 December 2017]

### *Taranaki Regional Policy Statement*

The PCPT is also required to "give effect to" an operative regional policy statement (section 67(3)(c)), in this case the operative Taranaki Regional Policy Statement (RPS). Transpower considers the following provisions of the RPS to be particularly relevant to the issues raised in this submission:

- Chapter 8 of the RPS clearly states that it may be appropriate to locate infrastructure in the coastal environment.
- Chapter 14 recognises Taranaki's energy resources as nationally significant and the use and development of these resources rely on infrastructure such as the National Grid to transmit these resources to other regions. It also recognises many of these energy resources and potential future resources (e.g. tidal generation) could be located within the coastal environment, requiring connection to the National Grid.
- Policy 3 of Chapter 15 details the need for buffer corridors to ensure reverse sensitivity effects of incompatible activities with the National Grid are avoided, recognising the importance of the National Grid.

Therefore, it is considered important that the Coastal Plan provides for National Grid activities in the coastal environment in order to give effect to the operative RPS.

### *Other Regulations*

Regulation 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, section 2(i) further acknowledges the importance of Transpower's National Grid assets, requiring Transpower to be directly served notice of applications or reviews that are publicly notified and that may affect the National Grid.

### ***Relationship Between the New Zealand Coastal Policy Statement and the National Policy Statement on Electricity Transmission***

It is important to emphasise that, under the RMA, no priority or preference is to be given to any particular national policy instrument, including the NPSET and the NZCPS. While the NZCPS obviously has direct application to the development of regional coastal plans, other national policy instruments also have direct application, including the NPSET. The RMA does not specify any priority of any one national policy instrument over the other, including the NZCPS. In the parts of the RMA which deal with implementing the national policy instruments into local policy and plans (Sections 62, 65, 67, 75), the NZCPS and other NPSs are always referred to together, with identical implementation requirements.

There are, inevitably, inherent tensions and potentially competing requirements between national policy instruments as they apply to the coastal environment, including the NZCPS and NPSET. The Supreme Court, in its *King Salmon* decision, provided some direction on how to resolve any potential tensions between national policies, particularly if they "pull in different directions". In particular, the Court considered that, if there is an apparent conflict between particular policies, decision-makers need to make a thoroughgoing attempt to find a way to reconcile them rather than readily preferring one over the other<sup>2</sup>. Competing higher level objectives and policies were also discussed in the recent decision by the High Court on the proposed Bay of Plenty Regional Coastal Environment Plan<sup>3</sup>. That decision found that, while more directive policies carry more weight than those that are less directive, nevertheless, following the *King Salmon* approach, a 'thoroughgoing' attempt should be made to reconcile policy tensions. In relation to the provisions of that Bay of Plenty Regional Coastal Environment Plan, the policy framework recognised that provision needs to be made for regionally significant infrastructure, but not necessarily to the same degree in all locations.

<sup>2</sup> *King Salmon*, paragraphs 129-131.

<sup>3</sup> *Royal Forest and Bird Protection Society of NZ Inc V Bay of Plenty Regional Council* [2017] NZHC 3080 [12 December 2017]



While the NZCPS is fundamental to the development of a regional coastal plan, it is important to note that the NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans, including within the coastal environment. Thus, regional councils have to work through how to make appropriate provision for nationally and regionally significant infrastructure in their coastal plans.

Whilst there are currently no parts of the National Grid in Taranaki's coastal marine area, the evolving nature of energy generation could require new electricity transmission infrastructure in the coastal environment at some stage in the future. It is therefore prudent to provide for the potential consideration of such resources in Taranaki's coastal environment. The development of the National Grid is explicitly recognised in the NPSET. Objective 2 of the NPSET explicitly refers to the "establishment of new transmission resources to meet the needs of present and future generations". Recognition of the development of the National Grid is also required in Policy 2 of the NPSET, in that "decision makers must recognise and provide for ... the development of the electricity transmission network". Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas. The wording of NPSET policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET).

### ***Overview of Reasons for the Submission***

Transpower is broadly supportive of the Proposed Coastal Plan. Following the constructive response to Transpower's previous submission on the Draft Coastal Plan, there are only a limited number of amendments being sought by Transpower in this submission. These amendments can be summarised as follows:

- Ensuring the NZCPS and NPSET are given equal consideration to reflect their equal standing under the RMA – this requires giving full effect to the NPSET;
- By having a restrictive policy, objective and rule framework for nationally and regionally important infrastructure, particularly the National Grid, the PCPT does not give full effect to the RPS in promoting sustainable management of natural and physical resources and achieving the purpose of the RMA – in particular, the PCPT does not give full regard to the National Grid's efficient use of physical resources and its contribution to the region's social, economic and cultural wellbeing; and
- Transpower is concerned that the requirements of section 32 of the RMA have not been fully met and records this concern here as required under section 32A, particularly with reference to explanations regarding activity statuses for erecting structures.

**Table of contents**

General Submission Point .....	11
DEFINITIONS .....	12
Section 1. Introduction .....	14
Section 3. Objectives .....	16
Section 4. Policies .....	18
Chapter 5. Regional Rules .....	29

## General Submission Point

### 1. Submission Point – GENERAL

#### Plan in General

#### Support with amendment

Transpower seeks to ensure that the PCPT contains appropriate provisions regarding the National Grid and policies to ensure functional and operational requirements to meet electricity generation supply. More specifically, the PCPT needs to adequately provide for the National Grid infrastructure that is required to support growth within the Taranaki Region and New Zealand.

#### Relief Sought:

That the provisions of the PCPT ensure that:

- Full effect is given to the National Policy Statement for Electricity Transmission 2008 (NPSET), specifically:
  - The sustainable management of the National Grid as a physical resource of national significance;
  - Recognition of the benefits of the National Grid at local, regional and national levels; and
  - Appropriate provision for the planning and development of new National Grid infrastructure.

This would be achieved by:

- a) Adopting the relief sought throughout the balance of this submission; and
- b) Adopting such other relief, including additions, deletions or consequential amendments necessary to give effect to this submission.

### 2. Submission Point – GENERAL – Use and application of terms CMA and CE

#### Provision: Use and application of Terms CMA and CE

#### Support

The statement within Section 1.4.2 that the rules of this plan apply only in the Coastal Marine Area ("CMA") is supported. However, clarification is also sought as to what provisions the Coastal Environment ("CE") apply to. Confirmation in the PCPT would be beneficial to plan users.

It is also noted that the PCPT uses the terms CMA and CE interchangeably. For example, Section 3.1 Appropriate Use and Development uses the term CMA. However, the related Objective 2 uses the term CE within the objective.

#### Relief Sought:

Confirmation is sought that the rules in the PCPT only apply to the CMA.

Clarification is sought as to what provisions in the PCPT the CE apply to.

Clarification is also sought as to the consistency in the use of the terms CMA and CE throughout the PCPT.

## DEFINITIONS

### 3. Submission Point – DEFINITIONS

#### Definition: Regionally Important Infrastructure

*Regionally important infrastructure means infrastructure of regional and/or national importance and is:*

- a. *Port Taranaki and its approaches and on-going development to meet changing operational needs;*
- b. *facilities and arterial pipelines for the supply or distribution of minerals including oil and gas and their derivatives;*
- c. *the national electricity grid, as defined by the Electricity Industry Act 2010;*
- d. *facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local electricity distribution network, including supply within the local electricity distribution network;*
- e. *defence facilities;*
- f. *flood protection works;*
- g. *infrastructure associated with the safe and efficient operation of state highways and the rail network;*
- h. *strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001;*
- i. *strategic radio communications facilities as defined in section 2(1) of the Radio Communications Act 1989;*
- j. *New Plymouth airport, including flight paths;*
- k. *arterial pipelines and pumping stations for the distribution of potable water and water treatment plants; and*
- l. *arterial pipelines and pumping stations for the collection of wastewater and stormwater, and wastewater treatment plants.*

#### Support in part

The PCPT does not specifically identify or provide for the National Grid. Rather it includes the National Grid within the definition of Regionally Important Infrastructure. On this basis, Transpower largely supports the reference to the National Grid within the definition of Regionally Important Infrastructure as such reference reflects the significance/importance of the National Grid.

However, a minor amendment is sought to clause c. to capitalise the reference to the National Grid, to remove the reference to 'electricity' (as this word is not included when Transpower refers to the National Grid), and to remove reference to the Electricity Industry Act and instead provide reference to the NPSET definition of National Grid, thereby providing consistency with the sought definition of National Grid (as sought below).

Notwithstanding the above support of the definition of Regionally Important Infrastructure, an amendment is sought to have a separate definition of National Grid to enable clear interpretation of the Coastal Plan in relation to the National Grid. This support is based on the relief sought by Transpower in subsequent submission points to provide specific recognition of the National Grid in the PCPT, to give full effect to the NPSET.

It is noted the definition refers to Regionally Important Infrastructure. While the term "important" is not in itself opposed, Transpower would support replacement of the word 'important' with 'significant' to be consistent with terminology used in the Regional Policy Statement for Taranaki 2010, and the NPSET which refers to 'significance'. On this basis, the references to 'Regionally Significant Infrastructure' and 'Regionally Important Infrastructure' are used

interchangeably in this submission. However, consistency will be required throughout the PCPT.

### Relief Sought

That the definition of Regionally Important Infrastructure, and be amended as follows, and the term be amended throughout the PCPT:

*Regionally ~~important~~ **Significant** Infrastructure*

*Regionally ~~important~~ **Significant** infrastructure means infrastructure of regional and/or national ~~importance~~ **Significance** and is:*

That the reference to the National Grid be amended as follows:

*3. the ~~N~~ational ~~electricity~~ **G**rid, **being the assets used or owned by Transpower New Zealand Limited as defined by the Electricity Industry Act 2010;***

That a new definition is added to the Definition Chapter as follows:

**“National Grid” means the assets used or owned by Transpower New Zealand Limited.**

And any consequential amendments that arise from the amendments proposed.

## Section 1. Introduction

### 4. Submission Point – INTRODUCTION

#### **Provision: 2.1.2 National policy statements and environmental standards**

*Section 67 of the RMA specifies that regional plans must give effect to:*

- *any national policy statement,*
- *any New Zealand coastal policy statement, and*
- *any regional policy statement.*

...  
*There are currently four national policy statements that relate to the coastal environment:*

...  
*National Policy Statement on Electricity Transmission 2008, which sets out objectives and policies for managing the electricity transmission network.*

#### **Support**

The reference to National Policy Statements is supported as it clearly articulates the importance of these documents and the need for the PCPT to give effect to the objectives and policies contained within those instruments. In particular, Transpower supports the reference to the NPSET as being relevant to the coastal environment.

#### **Relief Sought**

That the reference to National Policy Statements within Section 2.1 be retained.

### 5. Submission Point – INTRODUCTION

#### **Provision: 3.1 Appropriate use and development**

*Some activities rely upon a location in or near the coastal marine area, or are dependent on the use of coastal resources. Taranaki's coastal resources and developments play a crucial role in both the regional and national economy. ... Coastal management will recognise and provide for appropriate resource use and development, and its contribution to enabling people and communities to provide for their social, economic and cultural well-being.*

#### **Support in part**

Transpower supports the provision of an introductory explanation regarding the need to make provision for appropriate use and development within the Coastal Marine Area. However, an amendment is sought to recognise other constraints so as to make it clear within the PCPT that there are also technical, locational and/or operational reasons why an activity requires a coastal location which are not based solely on the use of the coast resource itself. Such recognition is consistent with Policy 1 of the NPSET which requires decision-makers to recognise and provide for the national, regional and local benefits of efficient electricity transmission, which may rely upon the location of National Grid assets within the coastal marine area, and Policy 3 of the NPSET which requires consideration of the constraints imposed by technical, operational and/or locational requirements when considering measures to avoid, remedy or mitigate adverse environmental effects of the National Grid. Put simply, the National Grid is linear infrastructure that has to connect generation sources with National

Grid infrastructure (lines and grid exit points or substations). Therefore the National Grid has to get from A to B and may not be able to avoid coastal locations in doing so.

### Relief Sought

That Provision 3.1 be amended as follows:

#### *Appropriate use and development*

*Some activities rely upon a location in or near the coastal marine area, are dependent on the use of coastal resources, **or have technical, operational or locational constraints that mean they require a coastal marine area location.** Taranaki's coastal resources and developments play a crucial role in both the regional and national economy. ... Coastal management will recognise and provide for appropriate resource use and development, and its contribution to enabling people and communities to provide for their social, economic and cultural well-being.*

And any consequential amendments that arise from the amendment proposed.

## 6. Submission Point – INTRODUCTION

### Provision: 3.2 Managing the Taranaki Coastal Environment

*With reference to the former discussion, the following matters are addressed in the objectives, policies, rules and methods that follow:*

- 1. Recognising the interconnected nature of the coastal environment through an integrated management approach.*
- 2. Managing the effects of discharges in the coastal marine area and on land in the coastal environment to maintain and enhance Taranaki's generally high coastal water quality.*
- 3. Recognising and providing for the role of appropriate use and development of natural resources in the coastal environment and its contribution to the social, economic and cultural well-being, and health and safety of people and communities.*
- 4. Ensuring significant natural and historic heritage and natural processes in the coastal environment are protected for the continuation of healthy and functioning ecosystems, and the social, cultural and economic well-being of present and future generations.*
- 5. Ensuring the relationship of tangata whenua, including their traditions, social and cultural values are recognised and provided for in the management of Taranaki's coastal environment.*
- 6. Ensuring people can continue to access, use and enjoy the Taranaki coast.*
- 7. Ensuring use and development of the coastal marine area does not increase coastal hazard risk or pose a threat to the health and safety of people or property.*

### Support

The list of matters is supported, particularly 3 "Recognising and providing for the role of appropriate use and development of natural resources in the coastal environment and its contribution to the social, economic and cultural well-being, and health and safety of people and communities". This is consistent with Policy 1 of the NPSET which requires decision-makers to recognise and provide for the national, regional and local benefits of efficient electricity transmission, which may rely upon the location of National Grid assets within the coastal environment.

### Relief Sought

That the list of matters within 3.2 be retained.

## Section 3. Objectives

### 7. Submission Point - OBJECTIVES

#### Provision: Objective 2 Appropriate use and development

*Natural and physical resources of the coastal environment are used efficiently, and activities that depend on the use and development of these resources are provided for in appropriate locations.*

#### Support in part

Transpower largely supports Objective 2, as it has now been expanded since the Draft Plan to include 'development' that has to be located within the Coastal Environment, even if the activity does not specifically rely on the use of the natural and physical resources within it. However, an amendment is sought to the objective to reference technical, operational and/or locational requirements thereby making it clear that activities (such as the National Grid) which may have technical, operational and/or locational constraints and are required to be located in the coastal environment due to these requirements, are recognised. As notified, the objective infers only those activities utilising the coastal resource are provided for.

The sought amended objective now gives proper effect to Policy 6 of the NZCPS, as well as Policies 2, 3 and 5 of the NPSET.

#### Relief Sought

That Objective 2 is amended as follows:

*Natural and physical resources of the coastal environment are used efficiently, and activities that depend on the use and development of these resources, **or have technical, operational and/or locational requirements**, are provided for in appropriate locations.*

And any consequential amendments that arise from the amendment proposed.

### 8. Submission Point - OBJECTIVES

#### Provision: Objective 3 Reverse sensitivity

*The use and ongoing operation of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.*

#### Support

Noting that the Coastal environment extends further inland than the coastal marine area, Transpower supports the provision of this objective as it is consistent with Policy 10 of the NPSET which states that decision-makers must, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the electricity transmission network, and to ensure the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised by inappropriate other activities.

#### Relief Sought

That Objective 3 be retained but the title be amended as follows:

*Objective 3 ~~Reverse sensitivity~~ **Impacts on established operations and activities***



## 9. Submission Point - OBJECTIVES

### **Provision: Objective 6 Natural character**

*The natural character of the coastal environment is preserved and protected from inappropriate use and development and is restored where appropriate.*

### **Support**

Transpower supports the provision of this objective as it recognises that not all activities are inappropriate in the coastal environment. The objective is consistent with Objective 6(a) of the RMA which refers to 'inappropriate subdivision, use and development'. Guidance as to what is meant by 'appropriate' is provided in Section 3.1 of the PCPT Appropriate Use and Development, noting that Transpower supports amendment to Section 3.1 to clarify that activities with technical, operational and/or locational requirements are also appropriate.

### **Relief Sought**

That Objective 6 be retained.

## 10. Submission Point - OBJECTIVES

### **Provision: Objective 7 Natural features and landscapes**

*The natural features and landscapes of the coastal environment are protected from inappropriate use and development.*

### **Support**

Transpower supports the provision of this objective as it recognises that not all activities are inappropriate in the coastal environment. The objective is consistent with Objective 6(a) of the RMA which refers to 'inappropriate subdivision, use and development'. Guidance as to what it 'appropriate' is provided in Section 3.1 of the PCPT Appropriate Use and Development.

### **Relief Sought**

That Objective 7 be retained.

## Section 4. Policies

### 11. Submission Point – POLICIES

#### Provisions: Policy 1 Coastal management areas

*Manage the coastal marine area in a way that recognises that some areas have values, characteristics or uses that are more vulnerable or sensitive to the effects of some activities, or that have different management needs than other areas. ...*

#### Support

Transpower supports Policy 1 as it is consistent with the NZCPS, particularly in relation to giving recognition to the diverse **values, characteristics and uses** of Taranaki's coastal environment, and provides an appropriate management structure for the policy and regulatory framework of the PCPT. This management framework will assist in the implementation of the NPSET, particularly policies 7 and 8 in terms of the planning and development of the transmission system in relation to areas of high value.

#### Relief Sought

That Policy 1 be retained.

### 12. Submission Point – POLICIES

#### Provision: Policy 2 Integrated management

*Provide for the integrated management of the coastal environment by:*

....

- (f) *managing natural and physical coastal resources in a manner that has regard to the social, economic and cultural objectives and well-being of the community and the functional and/or location constraints of nationally or regionally important infrastructure;*

#### Support in part

Transpower supports Policy 2(f) insofar as previous amendments by Transpower of this policy have been incorporated. However, Transpower seeks an amendment to alter the wording to be in accordance with its previous submission to ensure the policy has a stronger directive approach: that is, "to recognise and provide for" (rather than "has regard to") ... the benefits and the functional, locational and/or operational need to be within the CMA. The sought wording gives effect to Policy 1 of the NPSET, and reflects the more directive wording within the NPSET. The sought reference to 'operational' and 'technical' gives effect to Policy 3 of the NPSET.

#### Relief Sought

That Policy 2(f) be amended as follows:

*managing natural and physical coastal resources in a manner that **recognises and provides for** ~~has regard to~~ the social, economic and cultural objectives and well-being of the community, and the functional, **technical, operational and/or locational** constraints of nationally or regionally important infrastructure.*

And any consequential amendments that arise from the amendments proposed.

### 13. Submission Point – POLICIES

#### **Provision: Policy 5 Appropriate use and development of the coastal environment**

*Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:*

- (a) the functional need for the activity to be located in the coastal marine area. Conversely, activities that do not have a functional need to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area);*
- (b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based renewable energy resources;*
- (c) the appropriateness of the proposed design, methodology, whether it is the best practicable option, location or route of the activity in the context of the receiving environment and any possible alternatives;*
- ...
- (j) the degree and significance of actual or potential adverse effects of the activity on the environment, including consideration of:
  - (i) cumulative effects of otherwise minor activities;*
  - (ii) the sensitivity of the environment with particular reference to Policy 1; and*
  - (iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be remedied or mitigated.**

#### **Support in part**

Policy 5 (Policy 4 under the Draft Plan) is supported insofar as it provides an appropriate balance of matters that decision-makers must have regard to in determining the appropriateness of proposals for use and development within the coastal environment. In particular, the reference to the benefits to be derived from the activity (Policy 5(b)) and the extent to which alternatives have been considered (Policy 5(c)), as well as consideration of the degree and significance of potential adverse effects on the environment (Policy 5(j)). These provisions are consistent with the NPSET.

However, in regard to the first part of the policy, Transpower supports replacement of the term "Determine" on the basis 'Determine' is not appropriate in a policy context and infers a decision making process. The word 'provide for' is preferred as it sets the suitable policy direction as to those activities which may be appropriate in the coastal marine area, as well as being consistent with the policy directive in the NPSET.

Furthermore, in relation to Policy 5 (a), by only allowing the use and development in very specific circumstances which may not always be achievable, the policy does not give effect to the intention of Objective 2. It is considered that this narrow specificity is not required when a proposal will be considered on balance against all relevant sub-sections of the policy.

Transpower seeks an amendment to include the previous amendment sought by Transpower, which clearly recognises the technical, operational and/or locational requirements for activities to be located in the coastal marine area. The amendment would also delete the reference to activities that do not have a functional need to be located in the coastal marine area. The amendment would give effect to Policy 3 of the NPSET which requires consideration of the constraints imposed by technical and operational requirements when considering measures to avoid, remedy or mitigate adverse environmental effects of the National Grid.

It is noted that the term 'functional need' is used throughout the PCPT, but is not defined. It is Transpower's understanding that functional need is location dependent. The Auckland Unitary Plan defines Functional need as:

*The need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.*

Similarly, the Greater Wellington Regional Council's Proposed Natural Resource Plan defines Functional need as:

*When an activity is dependent on having its location in the coastal marine area or in the beds of lakes and rivers.*

Given the importance of the term and its use within the PCPT, and the lack of certainty as to whether it includes technical, operational and/or locational requirements, Transpower requests the term 'functional need' be defined. If a definition is provided and the term not include 'technical, operational and/or locational requirements', Transpower requests a separate reference to technical, operational and/or locational requirements be provided in the PCPT, as sought throughout Transpower's submission.

### **Relief Sought**

That Policy 5(a) be amended as follows:

~~Determine whether~~ **Provide for** use and development of the coastal environment ~~is in an appropriate place and form and within appropriate limits~~ by having regard to:

(a) ~~the functional need~~ **or technical, operational and/or locational requirement** for the activity to be located in the coastal marine area; ~~conversely, activities that do not have a functional need to be located in the coastal marine area should not be located there (unless the non-marine related activity complements the intended use and function of the area);~~

That the term 'functional need' be defined, and if that definition does not include 'technical, operational and/or locational requirement', that separate reference to technical, operational and/or locational requirement be provided in the PCPT, as sought in Transpower's submission. A suggested definition of functional need is as follows:

**The locational, operational, practical or technical needs of an activity, including development and upgrades.**

And any consequential amendments that arise from the amendments proposed.

## **14. Submission Point – POLICIES**

### **Provision: Policy 6 Activities important to the well-being of people and communities**

*Recognise and provide for new and existing infrastructure of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.*

#### **Support in part**

Transpower supports the intent of Policy 6 (previously Policy 5) to recognise and provide for infrastructure of regional importance, noting that part of Transpower's proposed amendment in its submission on the Draft Plan has been incorporated into this policy. However, Transpower considers it would give better effect to the NPSET (specifically Policy 1) by referring to 'nationally' important infrastructure as well, and not rely on the interpretation that 'regionally important' also may include nationally important infrastructure.

Amendment is also sought to the policy to specifically recognise the benefits of a reliable and secure supply of electricity, thereby further giving effect to Policy 1 of the NPSET.

### Relief Sought

That Policy 6 be amended as follows:

*Recognise and provide for new and existing infrastructure of **national or regional** importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, **including recognition of the benefits of a reliable, secure and efficient supply of electricity**, subject to appropriate management of adverse environmental effects.*

As an alternative to the above relief sought, Transpower would support the provision of a standalone policy which recognises and provides for the benefits of a reliable, secure and efficient supply of electricity,

And any consequential amendments that arise from the amendment proposed.

## 15. Submission Point – POLICIES

### Provision: Policy 7 Impacts on established operations and activities

*Avoid, remedy or mitigate the adverse effects of activities, including reverse sensitivity impacts, on existing lawfully established activities.*

### Support

Transpower broadly supports Policy 7 (previously Policy 6), noting that Transpower has no existing assets in the CMA as identified in the PCPT.

The proposed provisions for Policy 7 have been simplified from the draft provisions, with the previous explicit reference to infrastructure and activities associated with the generation, supply, storage and distribution or transmission of energy or substances including the electricity network being removed and replaced by existing lawfully established activities. Whilst Transpower's previous amendment included direct reference to the National Grid, given Transpower has no existing lawfully established activities in the Coastal Marine Area and that the National Grid is included under Regionally Important Infrastructure, Transpower supports this policy.

### Relief Sought

That Policy 7 be retained.

## 16. Submission Point – POLICIES

### Provision: Policy 8 Areas of outstanding value

*Policy 8: Areas of outstanding value*

*Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:*

*(a) avoiding adverse effects of activities on the values and characteristics identified in Schedule 2 that contribute to areas:*

- (i) having outstanding natural character; and/or*
- (ii) being outstanding natural features and landscape;*

*within or adjoining coastal management area – Outstanding Value; and*

*(b) maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, including views from within the landscapes or features, and views of the landscapes and features.*

### Support in part

Policy 8 is seeking to give effect to Policy 15 of the NZCPS, which includes the direction to “avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character”. Policy 8 is proposing to give effect to that policy at a regional level as follows (emphasis added) –

*Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:*

- (a) *avoiding adverse effects of activities on the values and characteristics identified in Schedule 2 that contribute to areas:*
- (i) *having outstanding natural character; and/or*
  - (ii) *being outstanding natural features and landscape;*
- within or adjoining coastal management area – Outstanding Value*

...

However, this approach in the RPS is not fully consistent with the direction under Policy 8 of the NPSET, which is (emphasis added):

*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.*

Consequently, given that parts of Taranaki’s coastal environment are within the Region’s rural environment, Policy 8 of the PCPT would be unduly restrictive in respect of the planning and development of transmission infrastructure in the identified outstanding natural landscapes and areas of high natural character areas.

To resolve this issue, Transpower seeks an amendment to Policy 8 to clearly recognise that the planning and development of transmission infrastructure in the coastal parts of the Region’s rural environment should ‘seek to avoid’ rather than ‘avoid’ adverse effects on the values and characteristics of outstanding natural landscapes and areas of high natural character. This amendment sought would be in accordance with Policy 8 of NPSET, where ‘seek to avoid’ is not an absolute requirement for the National Grid and needs to be reflected within the policy wording. Transpower wishes to include reference to ‘seek to avoid’ or add a new policy subsection referencing this. Transpower supports the clause being specific to the National Grid as opposed to Regionally Important Infrastructure, given the sought amendment is in specific response to, and to give effect to, the NPSET, which is the higher order policy document.

In relation to Clause (b), Transpower supports removal of the clause on the basis seascapes, visual corridors and views are not included or identified as values within Schedule 1 or Schedule 2, or any other schedules.

### Relief Sought

That clause (b) be removed as follows:

*Policy 8: Areas of outstanding value*

*Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:*

- (a) *avoiding adverse effects of activities on the values and characteristics identified in Schedule 2 that contribute to areas:*
- (iii) *having outstanding natural character; and/or*
  - (iv) *being outstanding natural features and landscape;*
- within or adjoining coastal management area – Outstanding Value; ~~and-or~~*

~~(b) maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, including views from within the landscapes or features, and views of the landscapes and features.~~

That a new policy subsection be included within Policy 8 to specifically refer to the National Grid in a manner consistent with the "seek to avoid" wording of Policy 8 of the NPSET. This could be achieved by adding a new clause (b) as follows:

or

**(b) Specific to the National Grid, seeking to avoid adverse effects of activities associated with the National Grid on the values and characteristics identified in Schedule 2 that contribute to areas:**

**(i) having outstanding natural character; and/or**

**(ii) being outstanding natural features and landscape;**

**within or adjoining coastal management area – Outstanding Value**

And any consequential amendments that arise from the amendments proposed.

## 17. Submission Point – POLICIES

### Provision: Policy 14 Indigenous biodiversity

*Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:*

....

*(b) avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on: .....*

### Support in part

In response to the draft plan, Transpower sought an amendment to Policy 14 (previously Policy 11) to amend/clarify Policy subsection 14(b). When considering the environmental effects of a new transmission line (which would be the case within the Coastal Environment), Policy 4 of the NPSET requires that 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. PCPT Policy 14(b) would therefore be considered within context of NPSET Policy 4.

However, in order to give effect to NPSET policies 2, 3, 4, and 8, Transpower seeks recognition of regionally important infrastructure, and acknowledgment that in order to recognise and provide for the development of the National Grid, significant adverse effects may not be able to be avoided. Transpower would support the sought amendment to the policy being specific to the National Grid if preferable to council.

### Relief Sought

That Policy 14(b) be amended as follows:

*Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:*

....

*(b) avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on:*

.....

*(vi) ....*

**Unless following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects**

**is not practicable and adverse effects are remedied or mitigated to the extent reasonably practicable.**

And any consequential amendments that arise from the amendments proposed.

## 18. Submission Point – POLICIES

### Provision: Policy 19 Surf breaks and Significant Surfing Area

#### Support in part

This policy is broadly supported as it appropriately references the provision of regionally important infrastructure and its precedence over all regionally significant surfbreaks. However, Transpower seeks amendments to Policy 19 to include the wording “practicable” in replacement of “possible” in accordance with NPSET Policy 8 given the direction “seek to avoid” for the National Grid does not place an absolute requirement on Transpower to avoid all high value coastal environments. The word “possible” has a very confined meaning and conveys only technical requirement whereas there may be a variety of other reasons why adverse effects cannot be avoided.

Transpower's proposed amendment also seeks reference to ‘adverse effects’ rather than just ‘avoidance of effects’, to clarify it is adverse effects which are the issue. z

#### Relief Sought

That Policy 19 be amended as follows:

*Policy 19: Surf breaks and Significant Surfing Area  
Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:*

.....

*(b) avoiding adverse effects on all regionally significant surf breaks, identified in Schedule 7, that are outside of the Significant Surfing Area;*

*Unless **following a route, site and method selection process**, the activity is necessary for the provision of regionally important infrastructure, avoidance of **adverse** effects is not possible **practicable** and adverse effects are remedied or mitigated **to the extent reasonably practicable**;*

And any consequential amendments that arise from the amendments proposed.

## 19. Submission Point – POLICIES

### Provision: New Policy

#### Support

As an alternative to the above amendments sought to Policies 8, 14, and 19, Transpower would support the provision of a standalone policy specific to the National Grid, to give effect to NPSET policies 2, 3, 4, 8 and 10.

Policy 2 requires decision-makers to recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network; Policy 3 requires consideration of the constraints by the technical and operational constraints of the network; Policy 4 requires regard to the extent to which any effects have been avoided, remedied or mitigated by the route, site and method selection; Policy 8 seeks to avoid adverse effects on certain areas; and Policy 10 relates to managing 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.

The provision of a standalone policy would ensure the National Grid is appropriately recognised and provided for within the PCPT.

### Relief Sought

As an alternative to the above amendments sought to Policies 8, 14, and 19, that a new policy be provided as follows:

**Provide for the National Grid by:**

- a) Managing activities, to the extent reasonably practicable, to avoid adverse effects, including reverse sensitivity effects, on the National Grid; and**
- b) Manage the adverse effects of new National Grid infrastructure by all of the following:**
  - i) recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas.**
  - ii) seeking to avoid adverse effects on the values of the following:**
    - a. Areas of significant indigenous biodiversity**
    - b. Areas of outstanding value**
    - c. Places or areas containing historic heritage of regional or national significance**
    - d. Significant surf breaks**
  - iii) where it is not reasonably practicable to avoid adverse effects on the value of the areas listed in d)ii) above because of the functional, operational, technical or locational needs of the National Grid, remedy or mitigate adverse effects on those values to the extent reasonably practicable;**
  - iv) where reasonably practicable, avoiding, remedying or mitigating other adverse effects;**
  - v) consider offsetting for residual adverse effects on indigenous biological diversity.**

And any consequential amendments that arise from the amendments proposed.

## 20. Submission Point – POLICIES

### Provision: Policy 31 Structures that support safe public access and use, or public or environmental benefit

*Policy 31: Structures that support safe public access and use, or public or environmental benefit*

*Structures in appropriate locations will be allowed for, subject to the appropriate management of adverse effects, where the structure is to provide for:*

.....

*(d) the efficient operation of nationally and regionally important infrastructure.*

### Support in part

Transpower largely supports this policy, particularly sub-section (d) which relates to nationally and regionally important infrastructure.

However, Transpower is concerned the words 'will be allowed for' infer resource consent approval and such wording could be interpreted as predetermining a resource consent process

outcome. Suggested wording is provided below but Transpower would also support the use of alternative wording such as 'provide for'.

### Relief Sought

That Policy 31 be amended as follows:

*Policy 31: Structures that support safe public access and use, or public or environmental benefit*

**Enable s**Structures in appropriate locations ~~will be allowed for~~, subject to the appropriate management of adverse effects, where the structure is to provide for:

.....

(d) the efficient operation of nationally and regionally important infrastructure.

And any consequential amendments that arise from the amendments proposed.

## 21. Submission Point – POLICIES

### Provision: Policy 32 Placement of structures

*Structures in the coastal marine area:*

- (a) will generally be limited to those that have a functional need to be located in the coastal marine area and that do not cause duplication of a function for which existing structures or facilities are adequate;

### Support in part

As with Submission point 13, Transpower seeks an amendment to the policy which clearly recognises the technical, operational and/or locational requirement for an activity to be located in the coastal marine area.

The amendment would give effect to Policy 3 of the NPSET which requires consideration of the constraints imposed by technical and operational requirements.

### Relief Sought

That Policy 32 (a) be amended as follows:

(a) will generally be limited to those that have a functional need **or technical, operational and/or locational requirement** to be located in the coastal marine area and that do not cause duplication of a function for which existing structures or facilities are adequate;

And any consequential amendments that arise from the amendments proposed.

## 22. Submission Point – POLICIES

### Policy 41: Provision for disturbance, deposition or extraction activities that provide public or environmental benefit

*Disturbance, deposition or extraction that is necessary to protect or maintain the safe and efficient operation of nationally and regionally important infrastructure or provide for public or environmental benefit will be allowed for, subject to appropriate management of adverse effects, including:*

...

(g) operating, maintaining, repairing, or upgrading lawful structures or infrastructure;

### Support in part

Policy 41 Clause (g) is supported as it recognises the benefits of nationally and regionally important infrastructure. The policy gives effect to Policy 1 of the NPSET which requires recognition and provision of the benefits of sustainable, secure and efficient electricity transmission. However, amendment is sought to also provide for the consideration of new infrastructure (being development) within the policy, therefore giving effect to Policy 1 and 2 of the NPSET which also provide for the development of the National Grid.

However, Transpower is concerned the words 'will be allowed for' infer resource consent approval and such wording could be interpreted as predetermining a resource consent process outcome. Suggested wording is provided below but Transpower would also support the use of alternative wording such as 'provide for'.

### Relief Sought

That Policy 41 (g) be amended as follows:

*Disturbance, deposition or extraction that is necessary to protect, ~~or maintain~~ or develop the safe and efficient operation of nationally and regionally important infrastructure or provide for public or environmental benefit will be ~~allowed for~~ enabled, subject to appropriate management of adverse effects, including:*

...

*(g) operating, maintaining, repairing, ~~or~~ upgrading, or development of lawful structures or infrastructure,;*

And any consequential amendments that arise from the amendments proposed.

## 23. Submission Point – POLICIES

### Policy 45: Appropriateness of reclamation or drainage

*Reclamation or drainage of land in the coastal marine area will not be allowed unless:*

...

*(d) the activity provides significant public benefit with particular regard to the extent to which the reclamation or drainage and intended purpose would provide for the efficient operation of nationally and regionally important infrastructure including, but not limited to, ports, airports, coastal roads, pipelines, electricity transmission, railways, marinas and electricity generation.*

### Support in part

Policy 45 Clause (d) is supported as it recognises the benefits of nationally and regionally important infrastructure. The policy gives effect to Policy 1 of the NPSET which requires recognition and provision of the benefits of sustainable, secure and efficient electricity transmission.

However, Transpower is concerned the term 'not be allowed' infers the decline of a resource consent and such wording could be interpreted as predetermining a resource consent process outcome. Suggested wording is provided below but Transpower would also support the use of alternative wording such as 'provide for'.

### Relief Sought

That Policy 45 (d) be amended as follows:

*Enable ~~r~~Reclamation or drainage of land in the coastal marine area ~~will not be allowed unless where:~~*

....  
*(d) the activity provides significant public benefit with particular regard to the extent to which the reclamation or drainage and intended purpose would provide for the efficient operation of nationally and regionally important infrastructure including, but not limited to, ports, airports, coastal roads, pipelines, electricity transmission, railways, marinas and electricity generation.*

And any consequential amendments that arise from the amendments proposed.

## Chapter 5. Regional Rules

### 24. Submission Point – RULES

**Provision: Rules 11, 13 and 14, and Rules 35, 37, 38, 42, 43, 44, 45, 46, and 50**

#### Support in part

Transpower supports Rules 11, 13 and 14. However, Transpower seeks that reference to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) be removed, as the NESETA only applies to existing structures and given there are no existing National Grid structures in the CMA (as identified in the PCPT) and therefore subject to the PCPT, the reference is not required. The NESETA is not applicable when erecting or placing new structures.

Similarly, in relation to Rules 35, 37, 38, 42, 43, 44, 45, 46, and 50 Transpower seeks that reference to the NESETA be removed, as the NESETA only applies to existing structures and given there are no existing structures in the CMA and therefore subject to the PCPT, the reference is not required. The NESETA is not applicable when erecting or placing new structures.

However, Transpower notes the National Environmental Standards for Telecommunication Facilities 2016 may be relevant for inclusion in the PCPT.

#### Relief Sought

That Rule 11 be amended as follows:

~~... excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).~~

That Rules 13, 14, 35, 37, 38, 42, 43, 44, 45, 46, and 50 be amended as follows:

~~or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).~~

And any consequential amendments that arise from the amendments proposed.

### 25. Submission Point – RULES

**Provision: Controlled Activity Rule 22 Network utility structure erection or placement**

*Network utility structure erection or placement where the structure is :*

- a) a pipeline that is buried or attached to a bridge or access structure;*
  - b) an outfall structure which does not come within or comply with Rule 18;*
  - c) an intake structure;*
  - d) a communication or electricity cable that is buried or attached to a bridge, access structure or pole; or*
  - e) marine communications equipment*
- and any associated:*
- a) occupation of space in the common marine and coastal area;*
  - b) disturbance of the foreshore or seabed;*
  - c) deposition in, on or under the foreshore or seabed; and*
  - d) discharge of sediment*

*excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*

#### **Support in part**

Transpower supports Rule 22 but seeks clarification clause d) relates to the cable only and is not the actual support structure which is provided for in the rule.

#### **Relief Sought**

That Rule 22 d) be clarified as to whether it is the cable only which is provided for in the rule. And any consequential amendments that arise from the amendment proposed.

### **26. Submission Point – RULES**

#### **Provision: Discretionary Activity Rule 33 Other structure erection or placement in Estuaries Modified, Open Coast and Port not provided for in Rules 18 to 32**

*Structure erection or placement and any associated:  
(a) occupation of space in the common marine and coastal area*

*and does not come within or comply with Rules 18 to 32, or any other Rule in this Plan or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*

#### **Support in part**

Transpower supports Rule 33 which details that structure erection or placement of any structure not provided for in Rules 18 to 32 is deemed to be a Discretionary Activity in the Estuaries Modified, Open Coast and Port area.

A discretionary activity status is supported as it enables a full assessment of effects.

Notwithstanding the support for the above rule, Transpower seeks that reference to the National Environmental Standards for Electricity Transmission Activities be removed, as the NESETA only applies to existing structures and is not applicable where erecting or placing new structures.

#### **Relief Sought**

That Rule 33 be amended as follows:

~~... or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6)).~~

And any consequential amendments that arise from the amendment proposed.

### **27. Submission Point – RULES**

#### **Provision: Non-Complying Activity Rule 34 Other structure erection or placement in Outstanding Value or Estuaries Unmodified not provided for in Rules 18 to 32**

*Structure erection or placement and any associated:  
(a) occupation of space in the common marine and coastal area*

*and does not come within or comply with Rules 18 to 32, any other Rule in this Plan or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*

### **Support in part**

Transpower supports in part, Rule 34 which details that (new) structure erection or placement of any structure not provided for in Rule 18 to 32 is deemed to be a Non-Complying Activity in Outstanding Value and Estuaries Unmodified areas.

However, in order to give effect to the NPSET, Transpower seeks an amendment to the rule framework to provide for new structures associated with the National Grid as discretionary activities within PCPT areas identified as Outstanding Values or Estuaries Unmodified.

As outlined in the introduction to this submission, the PCPT is required to give effect to the NPSET. Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas. The wording of NPSET policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET). On this basis and given the national significance of the National Grid (as recognised in the NPSET), Transpower seeks a discretionary activity status for new structures associated with the National Grid within the above identified areas. As a discretionary activity, a full assessment of effects would be required as well as a route, site and method selection process (Policy 4, NPSET), appropriate conditions imposed, and the application able to be granted or declined.

In terms of the specific application of the sought rule, given the PCPT has adopted the approach of not specifically providing for the National Grid and instead includes the National Grid along with other Regionally Significant (Important) Infrastructure, Transpower supports that the new rule apply to Regionally Significant Infrastructure. Alternately, the application of the sought rule specific to the National Grid would also be supported.

### **Relief Sought**

That Rule 34 be amended as follows:

~~*or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*~~

And

That a new discretionary activity rule be inserted into the PCPT that provides for Regionally Significant Infrastructure (or specific to the National Grid) as a discretionary activity within areas of Outstanding Value or Estuaries Unmodified; as follows:

**Rule 34A - Discretionary Activity**  
**Outstanding Value**  
**Estuaries Unmodified**

**Structure erection or placement associated with Regionally Significant Infrastructure**  
**(or the National Grid) and any associated works:**  
**(a) occupation of space in the common marine and coastal area**

**and does not come within or comply with Rules 18 to 32**

And any consequential amendments that arise from the amendments proposed.

## 28. Submission Point – RULES

**Provision: Discretionary Activity Rule 60 Other disturbance, damage, destruction, removal or deposition in Estuaries Modified, Open Coast and Port, that is not provided for in Rules 51 to 59**

*Disturbance, damage or destruction of the foreshore or seabed including any:*

- (a) removal of sand, shell, shingle or other natural material; or*
- (b) deposition of material in, on or under the foreshore or seabed*

*that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5) or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*

### Support in part

It is assumed that any new structures that requires any disturbance, damage or destruction of the foreshore or seabed would require consent under Rule 60 in addition to Rule 33, given the above listed activities are not listed as associated activities under Rule 33.

Transpower supports Rule 60 which details any disturbance, damage or destruction of the foreshore or seabed is deemed to be a Discretionary Activity in the Estuaries Modified, Open Coast and Port area.

A discretionary activity status is supported as it enables a full assessment of effects.

Notwithstanding the support for the above rule, Transpower seeks that reference to the National Environmental Standards for Electricity Transmission Activities be removed, as the NESETA only applies to existing structures and is not applicable when erecting or placing new structures. It is further noted that the NESTA does not apply when earthworks are subject to a regional rule, as could be interpreted by Rule 60.

### Relief Sought

That Rule 60 be amended as follows:

~~... or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).~~

And any consequential amendments that arise from the amendment proposed.

## 29. Submission Point – RULES

**Provision: Non Complying Activity Rule 61 Other disturbance, damage, destruction, removal or deposition in Outstanding Value or Estuaries Unmodified, not provided for in Rules 51 to 59**

*Disturbance, damage or destruction of the foreshore or seabed including any:*

- (a) removal of sand, shell, shingle or other natural material; or*
- (b) deposition of material in, on or under the foreshore or seabed*

*that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5) or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*



### Support in part

Transpower supports in part, Rule 61 which details that other disturbance, damage, destruction, removal or deposition is deemed to be a Non-Complying Activity in Outstanding Value and Estuaries Unmodified areas.

However, in order to give effect to the NPSET, Transpower seeks an amendment to the rule framework to provide for the activities associated with the National Grid as discretionary activities within PCPT areas identified as Outstanding Values or Estuaries Unmodified.

As outlined in the introduction to this submission, the PCPT is required to give effect to the NPSET. Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas. The wording of NPSET policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET). On this basis and given the national significance of the National Grid (as recognised in the NPSET), Transpower seeks a discretionary activity status for disturbance, damage, destruction, removal or deposition associated with the National Grid within the above identified areas. As a discretionary activity, a full assessment of effects would be required, a route, site and method selection process (Policy 4, NPSET) appropriate conditions imposed, and the application able to be granted or declined.

In terms of the specific application of the sought rule, given the PCPT has adopted the approach of not specifically providing for the National Grid and instead includes the National Grid along with other Regionally Significant (Important) Infrastructure, Transpower supports that the new rule apply to Regionally Significant Infrastructure. Alternately, the application of the sought rule specific to the National Grid would also be supported.

### Relief Sought

That Rule 61 be amended as follows:

~~*or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).*~~

And

That a new discretionary activity rule be inserted into the PCPT that provides for Regionally Significant Infrastructure (or specific to the National Grid) as a discretionary activity within areas of Outstanding Value or Estuaries Unmodified; as follows:

**Rule 61A - Discretionary Activity**  
**Outstanding Value**  
**Estuaries Unmodified**

**Other disturbance, damage, destruction, removal or deposition associated with Regionally Significant Infrastructure (or the National Grid) and any associated works:**  
**(a) removal of sand, shell, shingle or other natural material; or**  
**(b) deposition of material in, on or under the foreshore or seabed**

**that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5)**

And any consequential amendments that arise from the amendments proposed.

### 30. Submission Point – Map 44

#### Provision: Map 44

#### Support in part

Transpower does not oppose the Outstanding Value Coastal Management Area identified in Map 44. However, it is unclear why the Outstanding Value area landward of the Indicative CMA boundary line is not aligned with the Indicative CMA boundary line. Transpower would support amendment to the map to provide alignment with the Indicative CMA boundary line and provide clarity as to the application of the PCPT rules.

Should the Indicative CMA boundary line be amended to include any existing National Grid support structures, Transpower retains the right to submit on other relevant rules in the PCPT relating to existing structures.

#### Relief Sought

That the *Indicative CMA boundary line* on Map 44 be retained, but the *Outstanding Value* area landward of the Indicative CMA boundary line be moved to align with the Indicative CMA boundary line.

**Appendix 1: Map of Transpower Assets in the Taranaki Region**





### Appendix 2: New Plymouth substation and PCPT Mapping



***Appendix 3: National Policy Statement on Electricity Transmission 2008***

## NATIONAL POLICY STATEMENT

# on Electricity Transmission

*Issued by notice in the Gazette on 13 March 2008*

### CONTENTS

Preamble

1. Title
2. Commencement
3. Interpretation
4. Matter of national significance
5. Objective
6. Recognition of the national benefits of transmission
7. Managing the environment effects of transmission
8. Managing the adverse effects of third parties on the transmission network
9. Maps
10. Long-term strategic planning for transmission assets

[newzealand.govt.nz](http://newzealand.govt.nz)

## 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 28<sup>th</sup> 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.

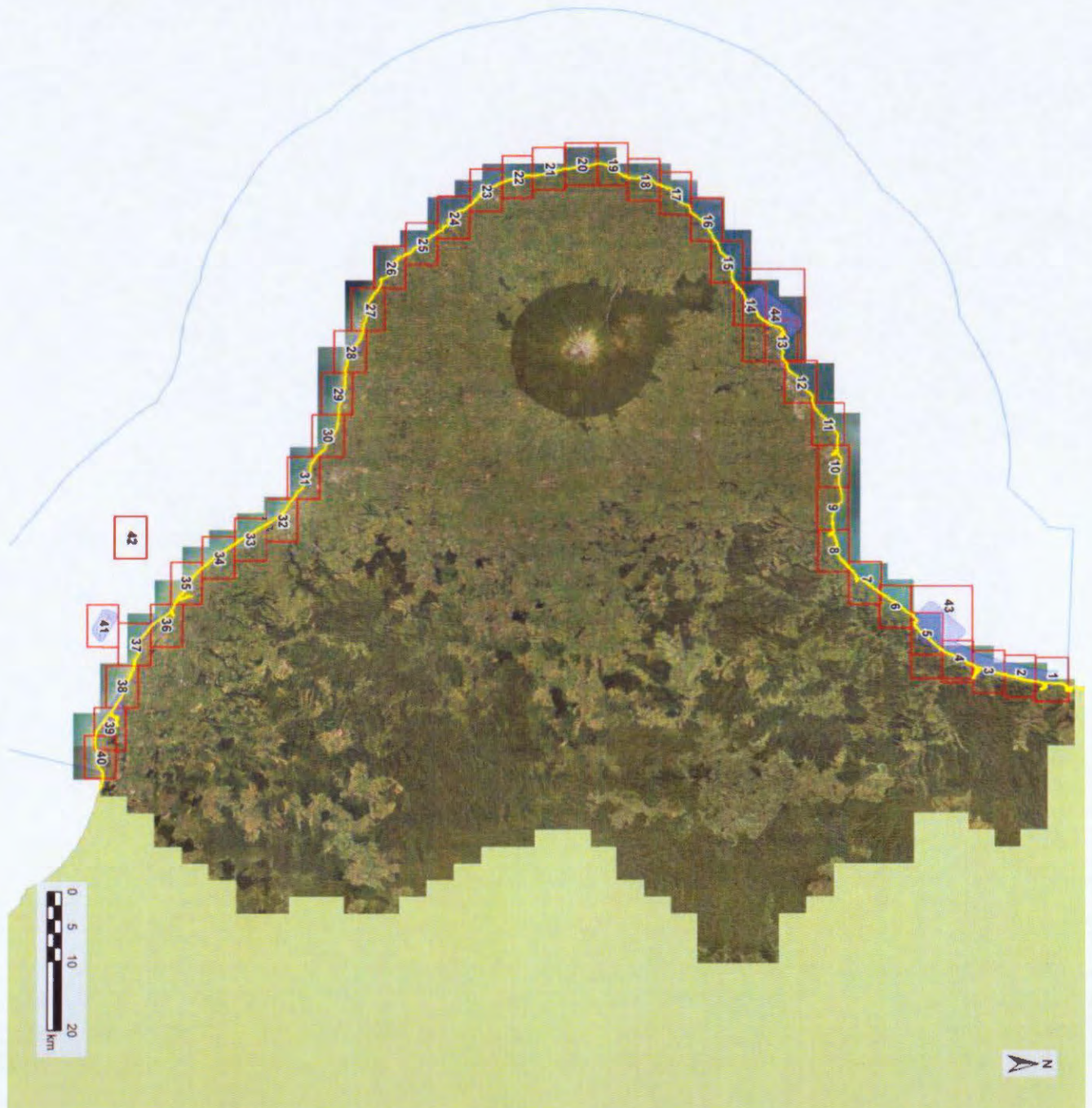
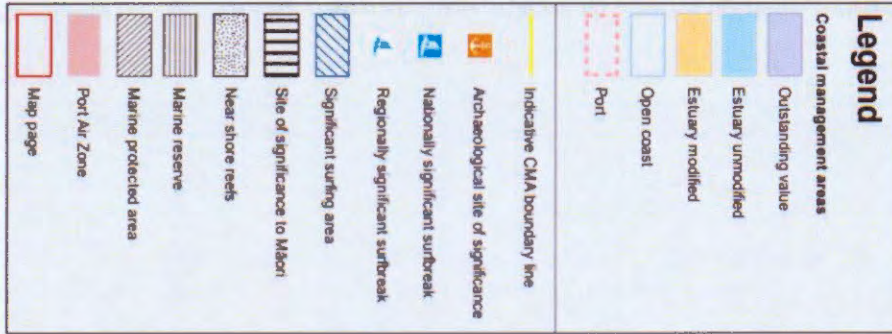
#### Explanatory note

*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.

***Appendix 4: Outstanding Value Areas in the Taranaki Coastal Area***



## Further Submissions Form – Proposed Coastal Plan for Taranaki

Use this form for multiple further submissions on the Proposed Coastal Plan for Taranaki.

### Important:

- Further submissions can be made only by a person/organisation representing a relevant aspect of the public interest, or a person/organisation whose interest in the proposal is greater than that of the general public
- Further submissions can only be made in support or opposition of an existing submission and must not raise any new points.
- You are obliged to notify the original submitters to whom your further submissions relate. [Find their email address here](#)

Email your further submissions to [coastal@trc.govt.nz](mailto:coastal@trc.govt.nz) with 'Proposed Coastal Plan further submission' in the subject field.

Submissions close at 4pm on Saturday 4 August 2018

### Your details

Name: Organisation (if applicable): Transpower New Zealand Ltd,

Address: PO Box 1021, Wellington

Address for Service: Boffa Miskell Ltd, PO Box 11340, Wellington 6142, Attn: Pauline Whitney,

Daytime phone number: 0210 236 4245 / 04 901 4290

Email address: [pauline.whitney@boffamiskell.co.nz](mailto:pauline.whitney@boffamiskell.co.nz)

Select one status:

*I am or represent a person/organisation representing a relevant aspect of the public interest* ~~YES/NO~~

*I am or represent a person/organisation whose interest in the proposal is greater than that of the general public* YES

Explain why you claim this status: **Transpower NZ Ltd is the owner and operator of the National Grid. The need to operate, maintain, develop and upgrade the National Grid is identified as a matter of national significance under the National Policy Statement on Electricity Transmission 2008. Transpower also has an interest as a landowner and occupier.**

Do you wish to be heard in support of your further submission? YES

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
Plan – Tangata whenua	50 – Te Kāhui o Taranaki Trust	Amend Plan to require that all Iwi (hapū, marae/pā) are notified as an affected party to any activities occurring within, adjacent to, or impacting directly on Statutory Acknowledgements and historic heritage sites and sites of significance to Māori within the coastal marine area.	Oppose	The submission point seeking mandatory notification is opposed. The RMA does not require or provide for mandatory notification for all activities. Rather, the requirement for notification is governed by s95A and s95B of the RMA and informed by the activity status and the effects of an activity. The submission point is also opposed as it is unclear and therefore open to interpretation what constitutes an 'adjacent' activity, or 'impacting directly on'. Specific to Statutory Acknowledgments, Transpower acknowledges a determination regarding notification is required for Statutory Acknowledgments. However, given this is presently provided for under s95B of the RMA, compulsory notification under the proposed plan is not considered appropriate.	Reject the amendment sought
Section 1.4.2 – The coastal environment	43 – Royal Forest and Bird Protection Society	Support the scope of the Plan and Plan provisions for integrated management but seek that paragraph 2 of Section 1.4.2 be amended to clarify that the rules in this Plan apply to activities in the CMA, including where those activities may have an adverse effect on outstanding values and significant indigenous biodiversity values outside of the CMA.	Oppose in part	In its submission Transpower supported the statement within Section 1.4.2 of the proposed plan that the rules only apply in the CMA. On this basis Transpower opposes the insertion of a reference as sought by the submitter, for controls extending outside the CMA as such an insertion would confuse plan users and not assist in plan interpretation or application. Furthermore, such values outside the ambit of regional plans are governed under the district plan or regional plans, not the Regional Coastal Plan.	Reject the amendment sought in part in relation to activities outside the CMA
Section 2.2 – New Zealand Coastal Policy Statement	45 – Powerco	Amend Section 2.2 to specifically recognise and provide for infrastructure. This could be achieved by adding an additional point: <i>Recognising and providing for infrastructure</i>	Support	The submission point is supported as it appropriately recognises infrastructure as recognised in Policy 6(1)(a) of the NZCPS 2010.	Accept the amendment sought
Section 3.1 – Taranaki coastal environment	43 – Royal Forest and Bird Protection Society	Amend Section 3.1 by: deleting the text under "Appropriate use and development". Alternatively amend to address as per submitters previous comments made on this matter.	Oppose	The submission point is opposed as the removal of the section would remove recognition within the proposed plan that some activities rely on a coastal location. Such functional need based activities are recognised in Policy 6 of the NZCPS. (Noting that Transpower sought amendment to Section 3.1 in its submission to provide reference to technical, operational or locational constraints). Policy 3 of the NPSET also requires decision makers to consider the constraints imposed by technical, operational and/or locational requirements of the National Grid. The recognition of the public benefit of the National Grid is further recognised in Policy 1 of the NPSET.	Reject the amendment sought

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
Objective 2 – Appropriate use and development	43 – Royal Forest and Bird Protection Society	Amend Objective 2 to read: Objective 2: <i>Appropriate Efficient use and development</i> <i>Natural and physical resources of the coastal environment are used efficiently, and activities that depend on the use and development of these resources, are provided for in appropriate locations.</i>	Oppose	Objective 2 of the proposed Regional Coastal Plan seeks two outcomes – the efficient use of resources, and the location of activities in appropriate locations. The submission point is opposed as reference to 'appropriate locations' is consistent with Policy 6(2)(c) of the NZCPS which relates to functional need and activities in appropriate places. In its submission on Objective 2, Transpower sought reference to technical, operational and/or locational requirements thereby making it clear that activities (such as the National Grid) which may have technical, operational and/or locational constraints and are required to be located in the coastal environment due to these requirements, are recognised.	Reject the amendment sought
Objective 3 – Reverse sensitivity	43 – Royal Forest and Bird Protection Society	Amend the Plan by deleting Objective 3: <i>The use and ongoing operation of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.</i>	Oppose	The submission point is opposed on the basis Objective 3 as notified recognises the need to protect nationally and regionally important/significant infrastructure from third party activities. The objective as notified gives effect to the Taranaki Regional Policy Statement INF Policy 2 <sup>1</sup> , and Policy 10 of the NPSET which relates to third party activities and ensuring the 'operation, maintenance, upgrading and development' of the National Grid is not compromised.	Reject the amendment sought
Objective 3 – Reverse sensitivity	45 – Powerco	Amend Objective 3 to read: <i>The use and ongoing operation, maintenance, and upgrading of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.</i>	Support	The submission point is supported as it recognises the need to protect existing nationally and regionally important infrastructure from other activities. The objective gives effect to the Taranaki Regional Policy Statement INF Policy 2, and Policy 10 of the NPSET, which relates to third party activities and the need to ensure the 'operation, maintenance, upgrading and development' of the National Grid is not compromised.	Accept the amendment sought
Objective 6 – Natural character	43 – Royal Forest and Bird Protection Society	Amend Objective 6 to read: <i>The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use and development and is restored where appropriate degraded.</i>	Oppose in part	The submission point is opposed in part in relation to the sought replacement of the term 'appropriate' with 'degraded' on the basis the sought wording is not consistent with, and does not give effect to, Policy 14(c) of the NZCPS. Policy 14(c) of the NZCPS requires that 'where practicable, and where degraded areas require restoration or rehabilitation', a number of possible approaches are provided within the policy. Policy 14(c) does not require that restoration or rehabilitation is an absolute requirement for any and every degraded area, as would be the outcome sought in	Reject the amendment sought in relation to replacement of the term 'appropriate' with 'degraded'.

<sup>1</sup> INF POLICY 2

The adverse effects of subdivision, use and development on the safety, efficiency, operation, maintenance and upgrading of the region's network utilities and on other physical infrastructure of regional significance (including where this is of national importance) will be avoided or mitigated.

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
				this submission point. On this basis Transpower opposes the submission point and instead supports the retention of the Objective as notified and sought in the Transpower submission.	
Objective 8 – Indigenous biodiversity	45 – Powerco	Seek that Objective 8 (and corresponding policies and rules) provide appropriately for the operation, maintenance and upgrade of existing regionally important infrastructure.	Support	As outlined in the submission, the proposed plan does not map areas of significant indigenous biodiversity. On this basis Transpower supports recognition within Objective 8 (as well as the policy and rule framework) of regional important/significant infrastructure.	Accept the submission point
Objective 13 – Coastal hazards risk and public health and safety	46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	Amend Objective 13 to read: <i>The risk of social, cultural, environmental, and economic harm from coastal hazards is not increased to unacceptable levels and public health, safety and property is not compromised by use and development of the coastal marine area</i>	Support	The submission point is supported as it appropriately recognises there may be circumstances and situations in which use of the CMA may increase the risk from coastal hazards, but the risk is not to an unacceptable level. For example, a new National Grid support structure in the CMA may even by a small degree increase the harm (for example from a Tsunami) but this level and degree of harm is acceptable	Accept the amendment sought
Policy 1 – Coastal management areas	45 – Powerco	Support Policy 1 subject to an amendment that recognises the existence of existing infrastructure in areas of Outstanding Value, Estuaries Unmodified and Estuaries Modified, unless the mapping is amended such that this is not the case. Seek amendment to policies 1(a), 1(b) and 1(c) to read: <u>These areas may contain regionally important infrastructure.</u>	Support	The submission point is supported on the basis that given the Coastal Environment is not specifically mapped and therefore defined, there may be regionally important/significant infrastructure within the Coastal Environment. On this basis, specific recognition within the policy as to the presence of regionally important/significant infrastructure is supported.	Accept the amendment sought
Policy 1 – Coastal management areas	47 – Fonterra	Amend Policy 1 to include a new Clause (d)(v) that reads: Manage the coastal marine area in a way that recognises that some areas have values, characteristics or uses that are vulnerable or sensitive to the effects of some activities, or that have different management needs than other areas. [...] (d) Open Coast: Areas of the open coast not identified in (a), (b), (c) and (e) of this Policy characteristically: [...] (v) <u>may contain infrastructure, structures and activities that enable people and communities to provide for their economic and social wellbeing</u>	Support	The submission point is supported on the basis it would recognise the presence of infrastructure and activities in the Open Coast that are necessary to enable people and communities to provide for their economic and social wellbeing. Specific to the National Grid, such recognition would give effect to NPSET Policy 1 which the benefits of sustainable, secure and efficient electricity transmission be recognised and provided for.	Accept the amendment sought
Policy 2 – Integrated management	46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	Support Policy 2 subject to the amendment of Policy 2(f) to read: <i>Provide for the integrated management of the coastal environment by: [...] (f) managing natural and physical coastal resources in a manner that has regard to the social, economic and cultural objectives and wellbeing of the community and the functional need and/or location constraints of nationally or regionally important infrastructure; and [...]</i>	Support	The submission point is supported as it appropriately refines the policy. In particular the reference to 'need' is supported as it reflects the terminology used in the NZCPS. The amendments sought by the submitter would align with the amendments sought in Transpower's submission and on this basis, are supported in addition to the relief sought by Transpower.	Accept the amendment sought



Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
Policy 4 – Extent and characteristics of the coastal environment	45 – Powerco	Amend Plan by deleting Policy 4 and referring to a comprehensive map of the coastal environment in its place: <i>Policy 4- Extent and characteristics of the coastal environment to determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan on a case-by-case basis by having regard to: (a) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas; and (b) the geographic extent to which activities within the coastal marine area may cause adverse effects on significant values and characteristics landward of the coastal marine area.</i>	Support	The submission point is supported on the basis mapping of the Coastal Environment would assist in plan interpretation and application in that plan users would be able to readily ascertain whether they are within the Coastal Environment. Transpower agrees with the reasoning provided in the Powerco submission that it is neither efficient nor effective to require the coastal environment to be defined on a case by case basis. Such an approach will lead to significant costs and uncertainties, including disputes as to whether the proposed plan is relevant to a particularly activity.	Accept the amendment sought
Policy 5 – Appropriate use and development of the coastal environment	47 – Fonterra	Amend Policy 5(a) to read: <i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: (a) the functional need or operational requirement of the activity to be located in the coastal marine area. Conversely, activities that do not have a functional need or operational requirement to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area); [...]</i>	Support in part	Transpower's submission sought an amendment to Policy 5 to include (in part) reference to 'technical, operational and/or locational requirements'. Should this recommendation not be granted, Transpower supports the relief sought by Fonterra to insert 'operational requirement' as it provides clarity as to what is envisaged as appropriate in the CMA. This is particularly relevant given the lack of a definition of 'functional need' in the policy itself or in proposed plan. The inclusion of 'operational requirement' within the policy would give effect to Policy 3 of the NPSET which requires consideration of the constraints imposed by technical and operational requirements when considering measures to avoid, remedy or mitigate adverse effects of the National Grid.	Accept the amendment sought in part should the relief sought in Transpower's submission not be accepted
Policy 5 – Appropriate use and development of the coastal environment	43 – Royal Forest and Bird Protection Society	Concern regarding the application of Policy 5 and seek amendment to the Plan to better provide for Policies 11, 13, 15, 17 and 20 of the NZCPS and achieve Plan objectives by identifying: - appropriate places or specify appropriate forms or limits - any areas where particular activities are inappropriate - appropriate places for aquaculture.	Oppose	The submission point is opposed. In its submission Transpower supported Policy 5 (with amendment) on the basis it provides a policy framework for consideration as to whether an activity is an appropriate use or development in the coastal environment. Proposed plan Policy 5 (and in particular clauses (a), (b) and (c)) implements the outcome sought in Objective 2, and Taranaki Regional Policy Statement INF Objective 1 and INF Policy 1. Functional need and benefits are also recognised in Policy 6 of the NZCPS. Specific to the National Grid, NPSET Policy 1 requires the benefits of the National Grid be recognised and provided for, and Policy 3 requires decision makers to consider the constraints imposed by the technical and operational requirements. Both NPSET Policy 1 and Policy 3 are given effect to through proposed plan Policy 5.	Reject the amendment sought

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
Policy 6 – Activities important to the wellbeing of people and communities	43 – Royal Forest and Bird Protection Society	Amend Policy 6 to: - provide for new infrastructure as set out in the National Policy Standard – Electricity Transmission - provide for activities regulated under the National Environmental Standards - provide for maintenance to enable the safe operation of existing regionally important infrastructure - provide for new regionally important infrastructure consistent with Policy 5 (subject to submitter's amendments) - provide for activities subject to appropriate avoidance, remediation or mitigation of adverse environmental effects.	Support in part	In its submission Transpower supported Policy 6 with amendment. The submission by Royal Forest and Bird Protection Society is supported in part in so far as it is consistent with the relief sought by Transpower in its overall submission. However, Transpower recognises the importance of other infrastructure of regional importance or significance and the requirement to give effect to Taranaki Regional Policy Statement INF Objective 1 and INF Policy 1.	Accept the amendment sought in part in so far as it is consistent with the relief sought in Transpower's submission
Policy 7 – Impacts on established operations and activities	45 – Powerco	Amend Policy 7 to read: <del>Avoid, remedy or mitigate the adverse effects of activities, including reverse sensitivity impacts, on existing lawfully established activities</del> <u>Restricting the establishment or intensification of activities that may result in reverse sensitivity effects by:</u> <u>(a) avoiding significant adverse effects on infrastructure of national or regional importance</u> <u>(b) avoiding, remedying or mitigating other adverse effects on infrastructure of national or regional importance</u> <u>(c) avoiding, remedying or mitigating adverse effects on other activities</u>	Support	While Transpower submitted in support of Policy 7, it agrees with the concerns raised in the Powerco submission that Policy 7 as notified does not give full effect to proposed plan Objective 3, or INF Policy 2 of the Taranaki Regional Policy Statement, both of which are which are directive in nature. Specific to the National Grid, Policy 10 of the NPSET requires that not only reverse sensitivity effects on the National Grid be avoided, but also that the operation, maintenance, upgrading and development of the National Grid is not compromised. On this basis, the wording sought in the Powerco submission is supported.	Accept the amendment sought
Policy 8 – Areas of outstanding value	45 – Powerco	Amend Policy 8 by adding a new Clause (c) to read: Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by: [...] ( <u>c) recognising the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</u>	Support	In its submission Transpower sought an amendment to Policy 8 to provide specific to the National Grid. The wording sought in Transpower's submission is preferred but should the Transpower submission point not be accepted, Transpower supports the relief sought by Powerco to recognise the need for infrastructure.	Accept the amendment sought
Policies 8 to 15 – Natural and historic heritage and values	41 – Te Korowai o Ngāruahine Trust	Amend Policies 8 to 15 to delete reference to significant adverse effects and replace with adverse effects.	Oppose	The submission point for the removal of 'significant adverse effects' from Policies 8 to 15 is opposed. Transpower supports the hierarchy approach within the proposed plan for avoiding 'adverse effects' for those environments which require a greater level of protection, and avoiding 'significant adverse effects' for those environments requiring less absolute protection (with other adverse effects to be avoided, remedied or mitigated). The approach adopted within the proposed plan gives effect to the Taranaki Regional Policy Statement.	Reject the amendment sought

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
				Proposed plan Policy 14 also gives effect to NZCPS Policy 11.	
Policy 9 – Natural character and natural features and landscapes	45 – Powerco	Revisit mapping areas of natural character and natural features and landscapes OR Amend Policy 9 by adding a new Clause (ix) to read: <i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by: (a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity: [...] <u>(ix) is necessary to provide for the safe and efficient operation, maintenance, upgrade and development of regionally important infrastructure.</u></i>	Support	The submission point is supported on the basis the sought text appropriately requires regard be had to regionally important/significant infrastructure. Such recognition would give effect to NPSET Objective 1 and Policy 2 in relation to the National Grid.	Accept the amendment sought
Policy 10 – Restoration of natural character	45 – Powerco	Retain Policy 10 as notified	Support	The submission point is supported on the basis it requires the 'promotion' of restoration or rehabilitation of natural character.	Accept the amendment sought
Policy 27 – Discharges of stormwater	46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	Retain Policy 27 as notified.	Support	The submission point is supported on the basis it provides an appropriate policy framework for managing stormwater discharges.	Accept the amendment sought
Method 6 – Use and development of resources	43 – Royal Forest and Bird Protection Society	Support in part but opposed to the use of the term "appropriate use and development"	Oppose	The submission point is opposed as Method 6.3 as notified reflects that there are some activities which are appropriate in the CMA. The National Grid is such an activity, the national significance of which is recognised in the NPSET.	Reject the amendment sought
Rule 13 – Other discharges	46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	Retain Rule 13 subject to the addition of a note as follows: <u>A discharge into a district council managed stormwater system is a discharge to land outside the CMA and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</u>	Support	The submission point is supported as it clarifies that discharges into the council stormwater network are not subject to the proposed plan. The insertion of the note would assist in plan interpretation and application.	Accept the amendment sought
Rule 14 – Other discharges	46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	Retain Rule 14 subject to the addition of a note to read: <u>A discharge into a district council managed stormwater system is a discharge to land outside the CMA and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</u>	Support	The submission point is supported as it clarifies discharges into the council stormwater network are not subject to the proposed plan. The insertion of the note would assist in plan interpretation and application.	Accept the amendment sought

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
Rule 22 – Network utility structure erection or placement	43 – Royal Forest and Bird Protection Society	Amend Rule 22 by changing the rule classification to make the erection or placement of network utility structures in the CMA a Restricted Discretionary Activity (rather than a Controlled Activity).	Oppose	The submission point is opposed. In its submission Transpower supported the notified controlled activity status for new network utility structure erection or replacement outside significant areas on the basis such an activity status provides an appropriate regulatory framework for considering the effects of such activities and recognises the importance and role of network utilities. It is noted that the nature and scale of the network utilities are restricted within the rule, with larger and more significant structures and activities addressed under Rules 33 and 34. A controlled activity status gives effect to NPSET Policy 2 which requires that decision makers must recognise and provide for the effective operation, maintenance, upgrading and development of the National Grid.	Reject the amendment sought
Rule 33 – Other structure erection or placement	61 – Te Rūnanga o Ngāti Ruanui Trust	Amend Rule 33 to include standards/terms/conditions to read: <i>(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</i> <i>(b) placement of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i> <i>(c) placement of structure and discharge is consistent with iwi management plan.</i> AND include the following notification note: <i>Resource consent applications under this Rule will be notified to tangata whenua</i>	Oppose	The submission point has two components, both of which are opposed. The first component of the submission seeks insertion of standards/terms/conditions. This part of the submission is opposed as the proposed plan does not provide standards/terms/conditions for discretionary activities. The second component of the submission seeks automatic notification. The requirement for automatic notification is opposed as it fails to recognise the specific nature or effects of an activity. The RMA does not require or provide for mandatory notification for all activities. Rather, the requirement for notification is governed by s95A and s95B of the RMA and informed by the activity status and the effects of an activity.	Reject the amendment sought
Rule 34 – Other structure erection or placement	61 – Te Rūnanga o Ngāti Ruanui Trust	Amend Rule 34 to include standards/terms/conditions to read: <i>(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</i> <i>(b) placement of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i> <i>(c) placement of structure and discharge is consistent with iwi management plan.</i> AND include the following notification note: <i>Resource consent applications under this Rule will be notified to tangata whenua</i>	Oppose	The submission point has two components, both of which are opposed. The first component of the submission seeks insertion of standards/terms/conditions. This part of the submission is opposed as the plan does not provide standards/terms/conditions for non-complying activities. The second component of the submission seeks automatic notification. The requirement for automatic notification is opposed as it fails to recognise the specific nature or effects of an activity. The RMA does not require or provide for mandatory notification for all activities. Rather, the requirement for notification is governed by s95A and s95B of the RMA and informed by the activity status and the effects of an activity.	Reject the amendment sought
Rule 35 – Maintenance repair of existing lawfully	41 – Te Korowai o Ngāruahine Trust	Amend Rule 35 to require notification to iwi of any maintenance, repair or minor alteration work of lawfully established structures in the CMA.	Oppose	The submission point is opposed as the RMA does not require or provide for mandatory notification for all activities (and in particular notification is not provided for permitted activities). Rather, the requirement for notification is governed by s95A and s95B of the RMA and informed by the activity status and the effects of an activity. As	Reject the amendment sought

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
established structures				such, the requirement for compulsory notification does not fit within the framework for applying for, or obtaining, resource consent.	
Definition – Coastal environment	45 – Powerco	Amend Plan by mapping the coastal environment line for Taranaki and referencing this in an amended definition of "coastal environment" to read: <i>Coastal environment means the areas where coastal processes, influences or qualities are significant, including lakes, lagoons, tidal estuaries, salt marshes, coastal wetlands, and the margins of these and includes all of the coastal marine areas, land inland to the point defined on the maps at Schedule X, the natural and physical resources within it, and the atmosphere above it.</i>	Support in part	The submission point is supported in part in terms of mapping. Mapping of the extent of the Coastal Environment would assist plan users in understanding the provisions in the plan, and assist in plan interpretation and application.	Accept the amendment sought in part in terms of mapping of the coastal environment
Definition – Network utility	45 – Powerco	Retain the definition of "network utility" as notified.	Support	The submission point is supported on the basis it reflects s166 of the RMA.	Accept the amendment sought
Definition – Reverse sensitivity	45 – Powerco	Amend the definition of "reverse sensitivity" to read: <i>Reverse sensitivity refers to the potential for the operation of an existing activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the proposed activity in their vicinity.</i>	Support	The submission point is supported as it appropriately recognises that it is not only sensitive activities which are likely to be susceptible to reverse sensitivity effects. Specific to the National Grid, Policy 10 of the NPSET requires that not only reverse sensitivity effects on the National Grid be avoided, but also that the operation, maintenance, upgrading and development of the National Grid is not compromised. The amended definition of reverse sensitivity would give effect to the National Grid. The submission point is supported as it appropriately recognises that it is not only sensitive activities which are likely to be susceptible to reverse sensitivity effects. Specific to the National Grid, Policy 10 of the NPSET requires that not only reverse sensitivity effects on the National Grid be avoided, but also that the operation, maintenance, upgrading and development of the National Grid is not compromised. The amended definition of reverse sensitivity would give effect to the National Grid.	Accept the amendment sought
Schedules 1 and 2 – Coastal management areas and areas of outstanding value	45 – Powerco	Amend Schedules 1 and 2 by: - mapping the coastal environment line - ensuring that the extent of sensitive coastal management areas are appropriate having particular regard to existing infrastructure, including roads and overhead electricity lines - amending the corresponding descriptions of the coastal management areas throughout the Plan to recognise existing infrastructure in these sensitive areas to ensure it can be operated, maintained, and upgraded as appropriate.	Support in part	That part of the submission point seeking mapping of the Coastal Environment is supported. As recognised in the Powerco submission and in Transpower's original submission, while activities within the Coastal Environment (but outside the CMA) are not subject to the rules of the proposed plan, the objectives and policies of the proposed plan will apply. Furthermore, Regional Plans and District Plans will need to ensure their plans give effect to the Regional Coastal Plan. On this basis Transpower supports the provision of mapping of the Coastal Environment so that certainty is	Accept the amendment sought in relation to mapping of the coastal line.

Plan Reference	Who made the original submission point?	Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.	Oppose or support the original point?	What are the reasons for your response?	What relief would you like to see?
				provided for plan users (and in the development of regional and district plans) to readily determine if they are within the coastal environment and therefore whether the corresponding policy framework applies.	

**APPENDIX C – COPY OF THE RELEVANT PARTS OF THE DECISION**

Submitter	Submission point	Submitter's requests	Council's response and decisions
60 – Te Kaahui o Rauru	293	<p><b>Other</b></p> <p>In relation to Policy 5 of the Plan, submitter seeks clarification as to why the aspirations of iwi to 'develop, use or protect' was removed from equivalent policy in the Draft Coastal Plan.</p>	<p><b>No relief necessary</b></p> <p>In relation to the submitter's query, following consultation on the Draft Plan, amendments were made to the Plan to highlight to the reader that all General Policies need to be considered collectively (and not individually) in the application of regional rules. It was therefore unnecessary to constantly cross reference individual General Policies to other policies and indeed there are risks inherent in 'cherry picking' such policies (while being silent on others).</p>
<b>NEW Policy 5A – Aquaculture</b>			
43 – Royal Forest and Bird Protection Society	294	<p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by:</p> <ul style="list-style-type: none"> <li>• including a new policy that identifies appropriate places for aquaculture; AND</li> <li>• until 'appropriate' places are identified, ensuring Plan provisions: <ul style="list-style-type: none"> <li>– exclude aquaculture activities from Outstanding Value, Estuaries Unmodified, Estuaries Modified coastal management areas</li> <li>– state that consents will not be granted for aquaculture in any area with the values and characteristics set out in Policy 14 of the Plan (as revised to address submitter's relief)</li> <li>– aquaculture proposals must be consistent with General Policies 1 to 21 of the Plan.</li> </ul> </li> </ul>	<p><b>Decline</b></p> <p>The Council does not consider it appropriate or necessary to identify appropriate places for aquaculture as the Taranaki coastal marine area is not currently conducive to aquaculture activities. The nature of the Taranaki coast is such that it is not suited to traditional aquaculture activities due to the very rough seas and high turbidity offshore and nil demand for space for aquaculture. Taranaki has no aquaculture and so far has not had to identify Aquaculture Management Areas.</p> <p>As a result, the Council suggests that the other reliefs requested by the submitter are not necessary. However, the Council notes that in all instances of resource consent applications all the General Policies (1 to 21) and the relevant Activity-specific policies apply and will be considered.</p>
Further submissions – Department of Conservation (29)		Support	
<b>Policy 6 – Activities important to the well-being of people and communities</b>			
2 – Federated Farmers	295	<p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 6 of the Plan to read:  <i>Recognise and provide for new and existing infrastructure and farming activities of regional importance or of significance to the social, economic and cultural well-</i></p>	<p><b>Decline</b></p> <p>The Council recognises that farming is regionally significant but declines the relief sought as Policy 6 addresses regionally important infrastructure assets – particularly those required to be provided for through national environmental standards and the</p>



Submitter	Submission point	Submitter's requests	Council's response and decisions
Further submissions – Te Korowai o Ngāruahine Trust (41), Te Ahiawa (56)		<p><i>being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</i></p> <p>Oppose</p>	<p>resulting obligations that regional and district councils recognise and provide for these assets. This approach is consistent with other second generation regional plans around New Zealand.</p> <p>The Council agrees to minor changes to the Policy to clarify that policy direction and guidance is on regionally important infrastructure (for which there is a definition). Of note farming activities are already adequately provided for under Policy 5, which determines the 'appropriateness' of <u>all</u> use and development activities in the coastal environment by having regard to the benefits to be derived from activities at a local, regional and national level. Policy 5(b) is also agreed to be amended to recognise the existing and potential contribution of agricultural activities to this region.</p>
19 – South Taranaki District Council	296	<p><b>Support</b></p> <p>Retain Policy 6 of the Plan as notified.</p>	<p><b>Accept</b></p> <p>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>
20 – Meridian Energy Limited	297	<p><b>Support</b></p> <p>Retain Policy 6 of the Plan as notified.</p>	<p><b>Accept</b></p> <p>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>
23 – New Plymouth District Council	298	<p><b>Support</b></p> <p>Retain Policy 6 of the Plan as notified.</p>	<p><b>Accept</b></p> <p>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>
26 – Transpower NZ Ltd	299	<p><b>Amend</b></p> <p>The submitter supports the intent of Policy 5 but is concerned that infrastructure that is "nationally significant" may not be interpreted to also be "regionally significant". The submitter further wishes to include explicit recognition of the benefits of a reliable and secure supply of electricity. The submitter believes that such amendments would give better effect to Policy 1 of the <i>National Policy Statement on Electrical Transmission</i>.</p> <p>Submitter seeks amendment to Policy 6 of the Plan to read:</p> <p><i>Recognise and provide for new and existing infrastructure of <u>national or</u> regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, <u>including recognition of the benefits of a</u></i></p>	<p><b>Accept in part</b></p> <p>Of note the Plan's definition of "regionally important infrastructure" includes infrastructure of regional and national importance and includes the national electricity grid. The Council does not agree to granting the relief in the manner sought by the submitter and note that inconsequential amendments are agreed to the Plan to remove reference to "nationally important infrastructure" where it is used to promote consistency in the use of terminology throughout the Plan.</p> <p>Notwithstanding the above, the Council does agree to amending Policies 5 and 6 in response to issues raised by the submitter. The amendments include the addition of a new sub clause for Policy 5 which reads:</p>

Submitter	Submission point	Submitter's requests	Council's response and decisions
Further submissions – Powerco (45)		<p><i>reliable, secure and efficient supply of electricity, subject to appropriate management of adverse environmental effects.[...]</i></p> <p>OR</p> <p>Amend the Plan to include a standalone policy which recognises and provides for the benefits of a reliable, secure and efficient supply of electricity.</p> <p>Support in part</p>	<p>[...]</p> <p><i>(aa) whether the activity relates to the use, operation, maintenance and alteration of regionally important infrastructure [...]</i></p> <p>The Council further agrees to amending the heading and content of Policy 6 to include reference to the safe and efficient operation of regionally important infrastructure to read (the Council notes additional amendments as sought by other submitters are also included):</p> <p><b>Policy 6: Benefits of regionally important infrastructure</b></p> <p>Recognise <i>the benefits of new and existing regionally important infrastructure to the social, economic and cultural well-being of people and communities in Taranaki, and provide for the safe and efficient operation of regionally important infrastructure</i> subject to appropriate <i>avoidance, remediation or mitigation</i> of adverse environmental effects.</p> <p>A new Policy 6A [Management of adverse effects of the National Grid] is also agreed to.</p>
27 – Taranaki Chamber of Commerce	300	<p>Support</p> <p>Retain Policy 6 of the Plan as notified.</p>	<p>Accept</p> <p>Support noted. Policy 6 is retained, however, amendments have been made to offer relief to other submitters' concerns where appropriate.</p>
32 – Port Taranaki	301	<p>Amend</p> <p>Submitter seeks amendment to Policy 6 of the Plan to better reflect the intention to capture Regionally Important Infrastructure as defined in the definitions section of the Plan.</p>	<p>Accept</p> <p>The Council agrees to amending Policy 6 (and making consequential amendments to Policy 5) to specifically refer to "regionally important infrastructure".</p> <p>The revised Policy reads as as follows:</p> <p>Recognise <i>the benefits of new and existing regionally important infrastructure to the social, economic and cultural well-being of people and communities in Taranaki, and provide for the safe and efficient operation of regionally important infrastructure</i> subject to appropriate <i>avoidance, remediation or mitigation</i> of adverse environmental effects.</p>
33 - New Zealand Defence Force	302	<p>Support</p> <p>Retain Policy 6 of the Plan as notified.</p>	<p>Accept</p> <p>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>
	303	<p>Support</p>	<p>Accept</p>

Submitter	Submission point	Submitter's requests	Council's response and decisions
35 – Radio New Zealand Ltd		Retain Policy 6 of the Plan as notified.	Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.
37 – Petroleum Exploration and Production Association of NZ	304	Support Retain Policy 6 of the Plan as notified.	Accept Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.
43 – Royal Forest and Bird Protection Society	305	Amend Submitter seeks amendment to Policy 6 to: <ul style="list-style-type: none"> <li>provide for new infrastructure as set out in the <i>National Policy Standard – Electricity Transmission</i></li> <li>provide for activities regulated under the <i>National Environmental Standards</i></li> <li>provide for maintenance to enable the safe operation of existing regionally important infrastructure</li> <li>provide for new regionally important infrastructure consistent with Policy 5 (subject to submitter's amendments)</li> <li>provide for activities subject to appropriate avoidance, remediation or mitigation of adverse environmental effects.</li> </ul>	Accept It is the Council's view that Policy 6 already provides the reliefs sought by the submitter. The Council also refers the submitter to the definition of "regionally important infrastructure" which includes infrastructure and activities covered by national environmental standards. Notwithstanding the above, for the purposes of certainty and clarity, the Council agrees to minor changes to Policy 6 that do not change the policy intent. The revised policy reads as follows: <i>Recognise the benefits of new and existing regionally important infrastructure to the social, economic and cultural well-being of people and communities in Taranaki, and provide for the safe and efficient operation of regionally important infrastructure subject to appropriate avoidance, remediation or mitigation of adverse environmental effects.</i>
Further submissions – Transpower NZ Ltd (26)		Support in part	A new Policy 6A [Management of adverse effects of the National Grid] is also proposed.
Further submissions – Port Taranaki Ltd (32)		Oppose	
45 – Powerco	306	Amend Submitter seeks amendment to Policy 6 of the Plan to read: <i>Recognise and provide for the safe and efficient operation of new and existing infrastructure of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</i>	Accept Accept amendment to Policy 6 to provide for the safe and efficient operation of infrastructure.
	307	Amend	Accept

Submitter	Submission point	Submitter's requests	Council's response and decisions
46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd		Submitter seeks amendment to Policy 6 of the Plan to read: <i>Recognise and provide for <b>the safe and efficient operation of new and existing infrastructure of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</b></i>	Accept amendment to Policy 6 to provide for the safe and efficient operation of regionally important infrastructure.
47 – Fonterra	308	<b>Amend</b>  The submitter seeks the inclusion of "industry" alongside infrastructure within Policy 6 as industry also contributes to the social and economic well-being of local and regional communities and suggest that the amendment will provide for the expansion or substantial upgrade of necessary infrastructure and industry while still being subject to appropriate management of adverse environmental effects.  Submitter seeks amendment to Policy 6 of the Plan to read: <i>Recognise and provide for new and existing infrastructure <b>and industry of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</b></i>	<b>Decline</b>  The Council recognises that industry, either individually or cumulatively, may indeed be regionally significant but declines the relief as Policy 6 addresses infrastructure assets – particularly those required to be provided for through national environmental standards and the resulting obligations that regional and district councils recognise and provide for these assets. This approach is consistent with other second generation regional plans.  The Council agrees to minor changes to Policy 6 to clarify that the policy direction and guidance relates to regionally important infrastructure (for which there is a definition). Of note industrial activities are already provided for under Policy 5, which determines the 'appropriateness' of use and development in the coastal environment by having regard to the benefits to be derived from activities at a local, regional and national level.
Further submissions- Federated Farmers (2)		Support	
59 – KwiRail	309	<b>Support</b>  Retain Policy 6 of the Plan as notified.	<b>Accept</b>  Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.
<b>Policy 7 – Impacts on established operations and activities</b>			
2 – Federated Farmers	310	<b>Support</b>  Retain Policy 7 of the Plan as notified.	<b>Accept</b>  Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.
12 – Chorus New Zealand Ltd	311	<b>Support</b>  Retain Policy 7 of the Plan as notified.	<b>Accept</b>  Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.

Submitter	Submission point	Submitter's requests	Council's response and decisions
		Resource consent applications under this Rule will <i>not be publicly notified but may be limited notified</i> .	relevant notification requirements are set out in sections 95A to 95G of the RMA).
Further submissions – Te Rūnanga o Ngāi Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)		Support	
<b>NEW Rule 22A – Network utility structure erection or placement</b>			
29 – Department of Conservation	841	<p><b>Amend</b></p> <p>Submitter seeks amendment to Plan to include a new Restricted Discretionary rule that deals with network utility structure erection or placement where the structure is a pipeline that is buried, or a communication or electricity cable that is buried.</p>	<p><b>Accept in part</b></p> <p>The Council notes that Rule 22 already seeks to provide for the placement of important network utilities that might transect the coastal marine area as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan but is still subject to the appropriate management of any adverse effects.</p> <p>Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. Some certainty for allowing the placement of network utilities in the coastal marine area is considered appropriate, which would not be the case if the activity was made a restricted discretionary activity (with the ability to decline a resource consent application). Of note, as part of this Coastal Plan review, this Council has adopted a precautionary approach whereby, if uncertain that effects can be adequately identified and addressed as a permitted activity or controlled activity, it has determined that the effects will be considered as a full discretionary activity to ensure issues are fully and comprehensively canvassed.</p> <p>The Council has not encountered significant issues with the placement of utility structures in the coastal marine area under the current Plan and therefore the Council does not consider it appropriate or necessary to require the placement of network utility structures to be made a restricted discretionary activity unless the activity is not covered by or cannot comply with the standards terms and conditions of the controlled activity rule.</p>

Submitter	Submission point	Submitter's requests	Council's response and decisions
			Notwithstanding the above, the Council agree to an additional Restricted Discretionary rule to address placement or erection of network utility structures in Outstanding Value coastal management areas or where the activity does not meet the standards, terms or conditions of Rule 22. The Council note that this approach is consistent with other areas of the Plan (Rules 37 and 37A).
45 – Powerco	842	Amend  Submitter seeks new or amended rule to provide a permitted activity pathway for new network utility structures attached to existing road bridges in the coastal marine area.	Decline  The Council declines the relief sought.  The Council notes that the majority of bridges that occur within the coastal marine area (and addressed through the Coastal Plan) are within estuaries and may be sensitive to activities of this nature. The Council considers that the activity may be uncertain in terms of scale and effects and consider it appropriate to be addressed through the consenting process to ensure that any environmental effects are appropriately managed. The controlled pathway provided under Rule 22 offers the Plan user certainty of being able to undertake the necessary works provided the standards, terms and conditions are met.
<b>Rule 23 –Port launching, mooring or berthing</b>			
40 – Te Rūnanga o Ngāti Mutunga	843	Amend  Submitter seeks amendment to Rule 23 of the Plan to make the erection and placement of launching, mooring or berthing structures in the Port a discretionary activity (rather than a controlled activity).	Decline  The Council declines the relief sought by the submitter.  The Council notes that Rule 23 seeks to provide for the erection and placement of launching, mooring or berthing structures in the Port as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan, but is still subject to the appropriate management of adverse effects.  The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the erection and placement of launching, mooring and berthing structures. This is subject to complying with the standards, terms and conditions addressing the avoidance, remedying or mitigating of adverse effects (of which those relating to historic heritage and indigenous biodiversity are particularly pertinent). The Council sees no net environmental benefit to

**APPENDIX D – LIST OF NAMES AND ADDRESSES OF PERSONS TO BE  
WITH A COPY OF THIS NOTICE**

<b>Submitter</b>	<b>Address for service</b>
Federated Farmers	Federated Farmers Taranaki 15 Young St PO Box 422, New Plymouth
South Taranaki District Council	
Meridian Energy Limited	Andrew.Feierabend@meridianenergy.co.nz
New Plymouth District Council	Juliet Johnson New Plymouth District Council Liardet Street, Private Bag 2025 New Plymouth 4342, New Zealand
Taranaki Chamber of Commerce	ceo@taranakichamber.co.nz
Port Taranaki Limited	guyr@porttaranaki.co.nz
New Zealand Defence Force	New Zealand Defence Force c/- Tonkin + Taylor PO Box 2083 Wellington 6140
Radio New Zealand Limited	Radio New Zealand Limited c/- Gary Fowles PO Box 123 Wellington
Petroleum Exploration and Production Association of NZ	Petroleum Exploration and Production Association of NZ PO Box 25259, Featherston Street Wellington 6146
Royal Forest and Bird Protection Society of New Zealand Incorporated	t.kay@forestandbird.org.nz
Powerco	BURTON PLANNING CONSULTANTS LIMITED Level 1, 2-8 Northcroft Street PO Box 33-817, Takapuna, AUCKLAND 0740 Attn: Mark Laurensen
Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd	BURTON PLANNING CONSULTANTS LIMITED Level 1, 2-8 Northcroft Street PO Box 33-817, Takapuna, AUCKLAND 0740 Attn: Mark Laurensen
Fonterra	Fonterra Limited C/- Russell McVeagh P O Box 8 AUCKLAND 1140
KiwiRail	Kiwirail PO Box 593 WELLINGTON 6140 Attention: Rebecca Beals
Department of Conservation	RMA Shared Services Department of Conservation Private Bag 3072 Hamilton 3240 Attn: Angus Gray
Te Korowai o Ngāruahine Trust	policy@ngaruahine.iwi.nz
Te Kotahitanga o Te Atiawa Trust and Ngā Hapū o Te Atiawa Iwi	sera@teatiawa.iwi.nz

