RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

Return your submission by 4pm on Tuesday 19 September 2023 to:

Senior Planning Administrator
RMA Plan Submissions Nelson
City Council
PO Box 645
Nelson 7040

(Hand delivery or courier to: Ground Floor, Civic House, 110 Trafalgar Street, Nelson 7010 or email to: environmental.planning@ncc.govt.nz with plan change no.29 in the subject line)

OFFICE USE
Submission No: S198
Date Received Stamp: 14/9/2023
NDOCs No: 5395702224-15819

*Required

Submitter Details

Full Name*	Transpower New Zealand Limited
Organisation	
Contact Person	Rebecca Eng, Technical Lead – Policy
Postal address*	
Telephone*	
Email*	Environment.Policy@transpower.co.nz

Trade Competition*

If you are a person who could gain an advantage in trade competition through the submission your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act 1991.

✓ I/we could not gain an advantage in trade competition through this submission.

~~I/we could gain an advantage in trade competition through this submission. *if yes, please complete the following:*~~

☐ ~~I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.~~

☐ ~~I/we are not directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.~~

Council Hearing*

~~I/we do not wish to be heard in support of my/our submission.~~

✓ I/we wish to be heard in support of my/our submission. If yes:

~~I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.~~

Public information

Please note that your name and address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as council.

Signature of Submitter*
(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

14 September 2023
Date*

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The specific provisions of the Proposed Plan Change that my submission relates to are as follows:

- ☐ Entire Plan Change
- ☐ Residential
- ☐ Inner City and City Fringe
- ☐ Industrial
- ☐ Suburban Commercial
- ☐ Natural Hazards/Climate Change
- ☐ Heritage
- ☐ Papakāinga
- ☐ Transport
- ☐ Mapping
- ☐ Infrastructure
- ☐ Area outside of Plan Change
- ☐ Subdivision
- ☐ Other

I/we*:

- ☐ Oppose the Plan Change **in part**
- ☐ Support the Plan change **in part**
- ☐ Are **Neutral** about the Plan Change
- ☐ **Oppose** the Plan Change
- ☐ **Support** the Plan Change
- ☐ Request **amendments** to the Plan Change

My submission is*:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Refer attached submission and appendices

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

I seek the following decision from the Council*:
(Give precise details, where amendments are sought, provide details below of what changes you would like to see).

Refer attached submission and appendices

Note:

1) This form is only for the purpose of making a submission on Proposed Plan Change 29 to the Nelson Resource Management Plan. It is NOT for making a further submission (i.e., in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
2) It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g., what is supported or opposed, the reason why and the decision sought, full contact details, etc.
3) Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e., Council to make a decision to refuse, amend or accept the Plan Change). Please indicate specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.
4) Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
    a. is frivolous or vexatious.
    b. discloses no reasonable or relevant case.
    c. would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
    d. contains offensive language.
    e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission by Transpower New Zealand Limited on Proposed Plan Change 29 to the Nelson Resource Management Plan

19 September 2023

Keeping the energy flowing



TRANSPOWER

Transpower New Zealand Limited

Contact Details

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Environmental Policy and Planning Team
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Phone (09) 590 7072

Submission of Transpower New Zealand Limited on Plan Change 29 to the Nelson Resource Management Plan

Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. The National Grid links electricity generators directly to major industrial users and distribution companies, feeding electricity to the local networks that distribute electricity to homes and businesses. The role of Transpower is shown in Figure 1 below.

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 11,000 km of transmission lines and over 170 substations, supported by a telecommunications network of around 300 telecommunication sites, which help link together the components that make up the National Grid.

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

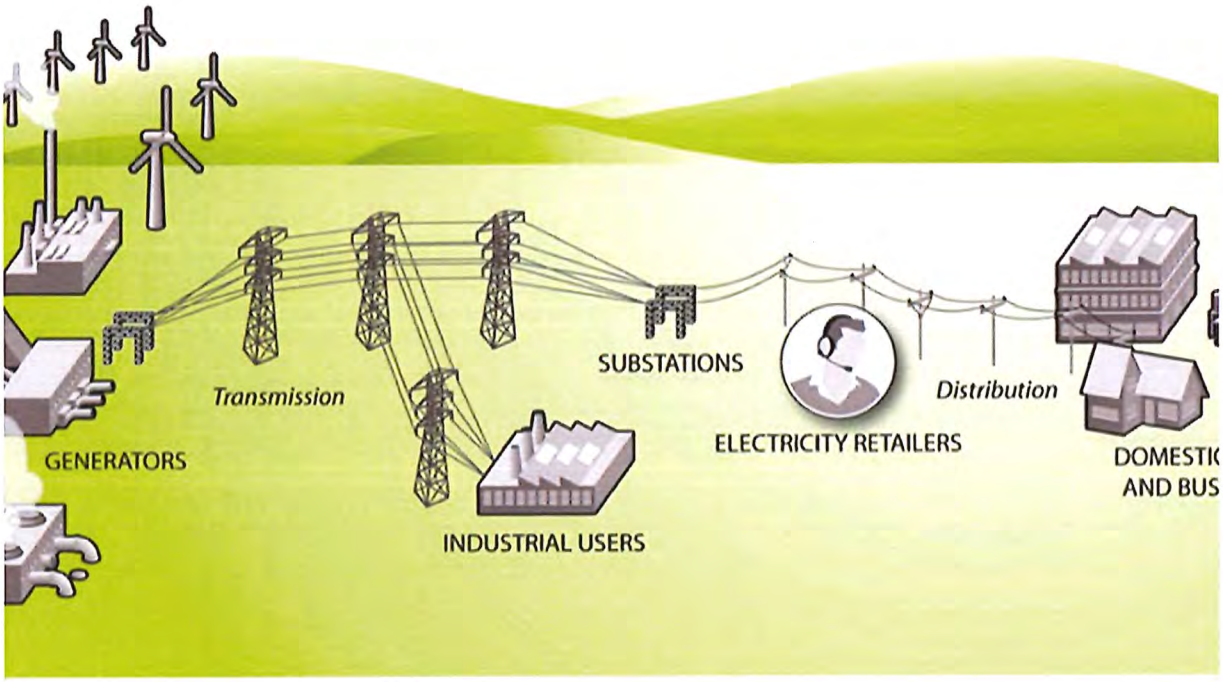


Figure 1. Role of Transpower in New Zealand's electricity industry. (Source: MBIE)

Transpower's role as outlined in its Statement of Corporate Intent for July 2023, states that:

> *"Transpower is central to the New Zealand electricity industry. We connect generators to distribution companies and large users over long distances, providing open access and helping to balance supply and demand. The nature and scope of the activities we undertake are:*

- *as grid owner, we own, build, maintain, replace, and enhance the physical infrastructure that connects those who generate and those who need electricity to live, work and play across the country; and*
- *as system operator, through a service provided under contract to the Electricity Authority under the Electricity Industry Participation Code, we operate the electricity market, managing supply and demand for electricity in real time to ensure that the power system remains stable and secure."*

In line with the above, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand's economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. As the economy electrifies in pursuit of the most cost efficient and renewable sources, the base case in Transpower's "Whakamana i Te Mauri Hiko" ('Empowering our Energy Future') predicts that electricity demand is likely to increase around 55% by 2050. Whakamana i Te Mauri Hiko suggests that meeting this projected demand will require significant and frequent investment in New Zealand's electricity generation portfolio over the coming 30 years, including new sources of resilient and reliable grid connected renewable generation. In addition, new connections and capacity increases will be required across the transmission system to support demand growth driven by the electrification of transport and process heat. Simply put, New Zealand's electricity transmission system is the infrastructure on which NZ's zero-carbon future will be built. This work supports Transpower's view that there will be an enduring role for the National Grid in the future, and the need to build new National Grid lines and substations to connect new, renewable generation sources to the electricity network.

The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed. Operational requirements are set out in legislation, rules and regulations that govern the National Grid, including the Electricity Act 1992, the Electricity Industry Participation Code, the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), and the Electricity (Hazards from Trees) Regulations 2003.

Transpower's assets in the Nelson region

Transpower's assets within and traversing the Nelson region (being the area subject to the Nelson Resource Management Plans) comprise the following:

- BLN-STK A 110kV line on steel towers (Blenheim to Stoke)
- KIK-STK A 220kV line on steel towers (Kikawa to Stoke)
- KIK-STK B 110kV line on steel towers and pi poles (Kikawa to Stoke)
- Stoke Substation

Refer to **Appendix B** for an overall map showing the location of the lines and substation.

Refer to **Appendix C** for a map showing the location of the lines and substation in relation to the area covered by Plan Change 29 (**'PC29'**).

Statutory Framework

The National Policy Statement on Electricity Transmission (**"NPSET"**) 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 Resource Management Act (**"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 National Grid. The NPSET only applies to the National Grid – the assets used, operated or owned by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as **Appendix D**.

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:*
>
> - *Managing the adverse environmental effects of the network; and*
> - *Managing the adverse effects of other activities on the network.*

The NPSET's Objective is implemented by fourteen policies. The policies must be applied by both Transpower and decision-makers under the RMA, as relevant. In a general sense these policies address the following:

- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route selection approach, and the requirements of existing assets;
- Policies 6 to 8: Reducing, minimising and avoiding adverse effects in differing contexts;
- Policy 9: Potential health effects;
- Policies 10 and 11: Managing adverse effects on the National Grid and providing for "buffer corridors";
- Policy 12: Mapping the National Grid; and
- Policies 13 and 14: Long-term development and planning for transmission assets.

Section 75(3) of the RMA requires that a district plan must 'give effect' to a National Policy Statement, and this therefore includes the NPSET in addition to the NPS-UD. 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.

It is therefore a requirement that the Nelson Resource Management Plan ('**NRMP**') reflects national direction and that the NRMP is effective in helping support the integrated management of natural and physical resources across the region as a whole. It is noted the NRMP is a combined district and regional plan.

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

The Resource Management (National Environmental Standards 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 (which are typically designated).

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.

Operative NRMP

The approach to managing activities in proximity of the high voltage electricity transmission network (referred to as the National Grid) in the operative NRMP does not reflect Transpower's current engineering-based approach and does not give effect to the NPSET. In July 2020 Transpower provided comments on the draft Nelson Plan and for the avoidance of doubt, these comments stand, including ensuring the Nelson plan gives effect to the NPSET.

For Transpower, the provisions of the plan need to ensure the NPSET is given effect to (and we note the timeframe stipulated in the NPSET for doing so was within four years of the NPSET's approval – so by April 2012). This will require wider changes than those within scope of PC29, noting that PC29 only relates to the Residential zone and does not address the National Gird provisions within the zone.

While Transpower's preference is for such changes to be undertaken as part of a wider plan review, in the interim, Transpower's submission on PC29 seeks to ensure that, to the extent possible within the scope of the plan change, the provisions of PC29 give effect to the NPSET. Notwithstanding the limited scope of PC29, Transpower continues to seek that provision to effectively recognise and provide for the National Grid as nationally important infrastructure are incorporated throughout the NRMP.

Transpower's feedback on draft Plan Change 29

In December 2022, Transpower provided feedback on draft PC29. Transpower acknowledges the efforts made by Council to provide for this feedback in the drafting of proposed PC29 as notified. Notwithstanding this, Transpower seeks amendments to several provisions of PC29, for the reasons set out in **Appendix A** below.

Transpower's submission on Plan Change 29

Transpower recognises that:

> *The main objective of PC29 is to amend the NRMP to implement the National Policy Statement on Urban Development 2020 (NPS-UD) by supporting housing delivery and the provision of well-functioning urban environments within Nelson while ensuring that natural hazard risks are appropriately managed and historic heritage is protected.* [1]

Because the National Grid is located within and traverses Nelson's urban environment, recognising and providing for the National Grid as part of enabling urban development is critical to achieving a well-functioning urban environment in the Nelson region. To achieve this, PC29 must also give effect to the NPSET at the same time as implementing the NPS-UD.

In enabling urban development, it is important that the operation, maintenance, upgrade and development of infrastructure is not compromised, thereby reconciling the national policy direction of both instruments. Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the electricity transmission network. These policies are critical matters for a plan to address and are specifically relevant to PC29.

Policy 10 is as follows:

[1] Section 32 Evaluation Report, p9.

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, and is as follows:

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

Given the above statutory and policy framework, it is important given its national and regional significance, that the management of the National Grid is properly addressed in the NRMP and PC29, particularly in context of the effects of urban development on the National Grid. Transpower considers that the relief sought in its submissions is necessary to give effect to the NPSET, within the scope of PC29. However, for the avoidance of doubt, Transpower continues to consider that the NRMP as a whole does not give effect to the NPSET, and continues to seek that the NRMP is reviewed in its entirety to fully give effect to the NPSET.

The National Grid as it relates to PC29 zoning and overlays

In relation to the scope of PC29, Transpower's assets, including the three National Grid Lines and the Stoke Substation are located in the General Residential Zone. The Stoke Substation is provided for under designation DTP1, for which Transpower is the requiring authority.

The location of National Grid assets in relation to the General Residential Zone is shown in **Appendix C**.

Existing National Grid assets are also subject to the following overlays under PC29:

PC29 Overlay	**National Grid Asset**
Floodway overlay	BLN-STK A 110kV line traverses the overlay in the area around Brook Street. KIK-STK A 220kV line traverses the overlay in the area around Ngawhatu Road. Overlay covers part of the Stoke Substation designation.
Flood hazard overlay	Overlay covers part of the Stoke Substation designation.
High flood hazard overlay	Overlay covers part of the Stoke Substation designation.
Fault deformation overlay	BLN-STK A 110kV line traverses the overlay in an area to the south-west of Brook Street. Overlay covers part of the Stoke Substation designation.
Slope instability area 3 overlay	The majority of the BLN-STK A 110kV line traverses the overlay.

PC29 Overlay	National Grid Asset
	KIK-STK A 220kV line traverses the overlay in the areas around Songer Street, Ngawhatu Road and Bridgewater Lane. KIK-STK B 110kV line traverses the overlay in the areas around Songer Street, Ngawhatu Road and Bridgewater Lane. Overlay covers part of the Stoke Substation designation.
Liquefaction hazard overlay	BLN-STK A 110kV line traverses the overlay in the area around Brook Street.

Summary of relief sought

A summary of the relief sought in the Transpower submission is as follows:

- Amendment to select definitions, including the National Grid specific definitions to reflect the existing National Grid assets within the Nelson region.
- Support the hazard provisions, with amendment sought to recognise the functional and/or operational constraints of some activities.
- Insertion of a specific policy to manage the effects on the National Grid.
- Amendment to the residential zone provisions to recognise that infill/development will not always be appropriate.
- Amendment to the National Grid Yard rule and National Grid Subdivision Corridor rule to reflect Transpower's approach. Insertion of a National Grid Yard earthworks rule to manage earthworks that can impact on the National Grid assets.
- Amendment to the Papakainga provisions to ensure the National Grid provisions apply.
- Amendment to the planning maps legend to distinguish between the National Grid high voltage transmission lines to which the NPSET applies and local distribution lines.

Specific submissions on PC29

Transpower's specific submissions on PC29 are set out in the table in **Appendix A**.

In relation to the "Relief Sought" column in **Appendix A**, the following text formatting has been used:

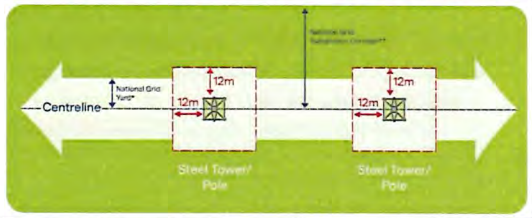
Text convention	Description
Black text	Text of the operative NRMP that PC29 does not propose to change.
Black text underlined	Text added by PC29 as notified.
~~Black text struck through~~	Text deleted by PC29 as notified.
Red text underlined	Text sought to be added by Transpower through its submission on PC29.
~~Red text struck through~~	Text sought to be deleted by Transpower through its submission on PC29.

For the avoidance of doubt, all submissions made below include any consequential amendments that may be required to give effect to the submission (even if these consequential amendments have not been specified in the submission).

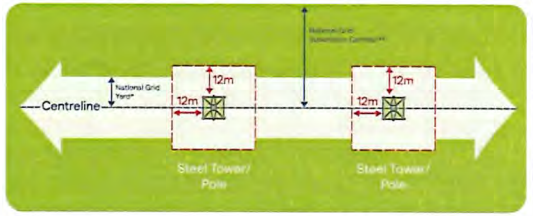
Appendix A – Submission table

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
Chapter 2 Meanings of words			
Building *~~means~~ any structure, whether temporary or permanent, moveable or immovable, except for:* *a. any scaffolding or falsework erected temporarily for maintenance or construction purposes, or* *b. uncovered swimming pools not higher than 1m above natural ground level, or* *c. fences and walls up to 2m in height, or* *d. masts, poles, clotheslines, and chimneys less than 1m wide and less than 3m in height above the point of attachment.* *In the Residential, Inner City, Suburban Commercial and Industrial zones, a building includes a vehicle or motor vehicle (including a vehicle or motor vehicle as defined in section 2(1) of the Land Transport Act 1998) that is immovable and is occupied by people on a permanent or long term basis.*	Amend	Transpower supports the amendments to the definition of "Building" in principle on the basis that they recognise that motor vehicles that are not readily movable, and are occupied on a permanent or long-term basis, can contain activities (such as residential activities) that are sensitive to the national grid. However, Transpower considers a minor amendment is necessary to replace the term "immovable", which presents a high threshold, with "not readily movable". This is consistent with recent observations made by the Environment Court on the matter of whether a home which was on a trailer chassis, but without wheels attached, could be considered as a building or structure because it could not readily be moved from site (see [2023] NZ EnvC 159 *Beachen v Auckland Council* at [41] through [46]). Transpower does query whether it would be appropriate to amend the definition to reflect that of the National Planning Standards 2019. Such an amendment would be supported. Amend the definition of building to reflect that of the National Planning Standards.	**Amend as follows:** ***Building*** *~~means~~ any structure, whether temporary or permanent, moveable or immovable, except for:* *a. any scaffolding or falsework erected temporarily for maintenance or construction purposes, or* *b. uncovered swimming pools not higher than 1m above natural ground level, or* *c. fences and walls up to 2m in height, or* *d. masts, poles, clotheslines, and chimneys less than 1m wide and less than 3m in height above the point of attachment.* *In the Residential, Inner City, Suburban Commercial and Industrial zones, a building includes a vehicle or motor vehicle (including a vehicle or motor vehicle as defined in section 2(1) of the Land Transport Act 1998) that is ~~immovable~~ not readily movable and is occupied by people on a permanent or long term basis.* Or Amend the definition of building to reflect that of the National Planning Standards, being: *building: means a temporary or permanent movable or immovable physical construction that is:* *(a) partially or fully roofed; and* *(b) fixed or located on or in land;* *but excludes any motorised vehicle or other mode of transport that could be moved under its own power*
Design Statement *is a requirement of Appendix 14 - Residential subdivision design and information requirements and is a statement from a suitably qualified and experienced urban design expert that explains the design principles and concepts that have informed the subdivision or development design, and how urban design and sustainability issues have been dealt with.*	Amend	The term "Design Statement" also applies to information requirements under Schedule U (Marsden Plateau Landscape Area). The information requirements for a Design Statement under clause U2 of Schedule U are broader than urban design, and include a requirement to demonstrate how all earthworks, buildings, structures and fences proposed to be located within 20m of the high voltage transmission lines	**Amend as follows:** ***Design Statement*** *is a requirement of Appendix 14 - Residential subdivision design and information requirements and Schedule U Marsden Plateau Landscape Area and is a statement from a suitably qualified and experienced*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
		traversing the Open Space Areas comply with the minimum safe separation distances outlined in the New Zealand Electrical Code of Practice (NZECP) 34:2001. This matter may require expertise beyond that of an urban designer. Because the National Grid passes through the Marsden Plateau Landscape Area, Transpower considers the definition of Design Statement needs to be amended to acknowledge the broader information requirements that apply to Design Statements within the Marsden Plateau Landscape Area.	*~~urban design~~ expert that explains the design principles and concepts that have informed the subdivision or development design, and how urban design, ~~and~~ sustainability, and other relevant issues have been dealt with.*
Flood area *means areas identified on the planning maps, or otherwise in Appendix 30, where flood hazard rules apply and include:* • *Flood Hazard Overlay* • *High Flood Hazard Overlay* • *Floodway* • *Flood Path Overlay* • *Flood Paths specified in the Flood Path Table (Appendix 30)* • *Inundation Overlay* • *Flood Overlay.*	Support	Transpower supports this definition (and identification of the flood areas) as it provides clarity for District Plan users.	**Retain as notified.**
Flood Area *means either a Flood Path identified on the planning maps or a flood path identified in the Flood Path Table in Appendix 30.*	Support	Transpower supports this definition (and identification of the flood areas) as it provides clarity for District Plan users.	**Retain as notified.**
Floodway *means an area identified on the planning maps as a Floodway.*	Support	Transpower supports this definition (and identification of the floodway) as it provides clarity for District Plan users.	**Retain as notified.**
National Grid *means the network that transmits high-voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including:* *a. transmission lines; and* *b. electricity substations.*	Amend	Transpower supports the inclusion of a definition for the National Grid, as the term is used numerous times throughout the Plan. However, Transpower requests that the meaning is amended to refer to the definition in the National Policy Statement on Electricity Transmission 2008 (NPSET), rather than incorporating the current NPSET definition directly. This ensures that the definition remains consistent with the NPSET without requiring a plan change, if the NPSET definition is updated at any point during the life of the Plan. It also provides clarity to plan users that the definition reflects that in the NPSET.	**Amend as follows:** ***National Grid*** *has the same meaning as provided in the National Policy Statement on Electricity Transmission 2008.* *~~means the network that transmits high-voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including:~~* *~~a. transmission lines; and~~* *~~b. electricity substations.~~*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
National Grid Corridor *means the area measured either side of the centreline of any above ground electricity transmission line as follows:* *a. 14m for the 110kV National Grid lines on single poles (HAM-MER A, ARI- HAM A).* *b. 16m for the 110kV National Grid lines on pi poles.* *c. 32m for 110kV National Grid lines on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM-KPO A).* *d. 37m for the 220kV transmission lines (HAM DEV A).* *For the avoidance of doubt the National Grid Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of line) that are designated.*	Amend	The provision of a National Grid Subdivision Corridor definition is supported on the basis it gives effect to the NPSET and specifically policies 10 and 11 which establish the mandate for the National Grid Yard and Subdivision Corridor approach promoted by Transpower and applying to the electricity transmission network (being the assets used or owned by Transpower). However, the title of the definition should be amended to "National Grid Subdivision Corridor". This reflects that the purpose of the corridor is to restrict subdivision activities and would provide clarity to plan users. This also ensures national consistency with the use of the term in other district plans. The definition must also be amended as the assets referred to in the definition are not located in the Nelson region. Instead, a more generic list of setbacks from different transmission line types should be used. Further text and the addition of a diagram is also sought to provide direction to District Plan users on how the National Grid Subdivision Corridor is to be measured.	**Amend as follows:** ***National Grid Subdivision Corridor*** *means the area measured either side of the centreline of any above ground electricity transmission line as follows:* ~~*a. 14m for the 110kV National Grid lines on single poles (HAM-MER A, ARI- HAM A).*~~ ~~*b. 16m for the 110kV National Grid lines on pi poles.*~~ ~~*c. 32m for 110kV National Grid lines on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM-KPO A).*~~ ~~*d. 37m for the 220kV transmission lines (HAM DEV A).*~~ *a. 16 metres for 110kV transmission lines on pi poles;* *b. 32 metres for 110kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers); and* *c. 37 metres for 220kV transmission lines.* *For the avoidance of doubt the National Grid Subdivision Corridor and National Grid Yard do not apply to ~~underground cables or~~ any transmission lines (or sections of line) that are designated.* *The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line, as shown in the diagram below. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.* 

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
National Grid Yard *means:* *a. the area located 12 metres in any direction from the outer edge of a National Grid support structure; and* *b. the area located 10 metres either side of the centreline of any above ground 110kV National Grid line on single poles (HAM-MER A, ARI-HAM A); or* *c. the area located 12 metres either side of the centreline of any above ground National Grid line on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM- KPO A, HAM DEV A).*	Amend	The provision of a National Grid Yard definition is supported on the basis it gives effect to the NPSET and specifically policies 10 and 11 which establish the mandate for the yard (corridor) approach applying to the electricity transmission network (being the assets used or owned by Transpower). However, the definition should be amended as the assets referred to in the definition are not located in the Nelson region. Instead, a more generic list of setbacks from different transmission line types should be used, that reflect the assets within the Nelson region. Further text and the addition of a diagram is also sought to provide direction to District Plan users on how the National Grid Yard is to be measured.	**Amend as follows:** ***National Grid Yard*** *means:* ~~*a. the area located 12 metres in any direction from the outer edge of a National Grid support structure; and*~~ ~~*b. the area located 10 metres either side of the centreline of any above ground 110kV National Grid line on single poles (HAM-MER A, ARI-HAM A); or*~~ ~~*c. the area located 12 metres either side of the centreline of any above ground National Grid line on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM- KPO A, HAM DEV A).*~~ *a. the area located 12 metres in any direction from the outer visible edge of a support structure for an overhead 110kV or 220kV National Grid transmission line; and* *b. the area located 12 metres either side of the centreline of any overhead 110kV or 220kV National Grid transmission line on pi poles or towers (including tubular steel towers where these replace steel lattice towers).* *For the avoidance of doubt the National Grid Subdivision Corridor and National Grid Yard do not apply to any transmission lines (or sections of line) that are designated.* *The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line, as shown in the diagram below. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
			
Natural hazard overlay *means one or more of the following overlays shown on the Planning Maps: Fault Hazard Overlay, ~~Grampians Slope Risk~~Fault Deformation Overlay, ~~Tahunanui Slump Core Slope Risk~~Fault Awareness Overlay, ~~Tahunanui Slump Fringe~~Liquefaction Hazard Overlay, Slope ~~Risk~~Instability Area 1 Overlay, Slope Instability Area 2 Overlay, Slope Instability Area 3 Overlay, Slope Instability Debris Run-out Area Overlay, Flood Overlays (Flood Overlay, Flood Path Overlay, and Inundation Overlay) Flood Hazard Overlay, ~~Inundation~~High Flood Hazard Overlay and Floodway.*	Support	Transpower supports this definition (and identification of the Natural hazard overlay) as it provides clarity for District Plan users.	**Retain as notified.**
Sensitive activities *means the use of land for a childcare facility, school, residential building, or hospital.*	Amend	Transpower support including a definition of "sensitive activity" but seeks that it is amended. Specifically: • The term "school" is not defined and should be replaced with "educational facility", which is defined. The reference to "(including any preschool or day care centre) is imported from rule REr.51.1 (see submission below). This will provide clarity for District Plan users. • The term "residential building" is not defined and should be replaced with "residential activity", which is defined. This will provide clarity for District Plan users. • Papakāinga, short term living accommodation, community activities and health facilities should be added to the list of sensitive activities, as these activities will be sensitive to the nearby presence of the National Grid.	**Amend as follows:** ***Sensitive activities*** *means the use of land for a childcare facility, ~~school~~ educational facility (including any preschool or day care centre), ~~residential building~~ residential activity, papakāinga, short term living accommodation, community activity, health facility, or hospital.*
Structure~~*~~ *means* *any building, equipment, device or other facility made by people and which is fixed to land, and includes~~-~~:* *a. any raft.~~For~~*	Support	Transpower supports this definition as it provides clarity for District Plan users. The definition is largely consistent with that provided in the National Planning Standards 2019.	**Retain as notified.**

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b. *for the purposes of structures in the beds of rivers and lakes, "structures" includes dams and bank protection structures fixed to the bed.* c. *rainwater tanks and solar panels.*			
Chapter 3 Administration			
AD8.2.iv *Some applications will require expert assessment. These assessments must be provided in sufficient detail relative to the scale of the application. The reports should be prepared by an expert with relevant qualifications and experience.*	Support	Transpower supports this provision as it provides clarity for District Plan users. It also recognises that some resource consent applications in relation to development near the National Grid (particularly those where the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is relevant) may require expert input.	**Retain as notified.**
Chapter DO1A Papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial Zones			
Policy ***DO1A.2.4 maximum scale of papakāinga development*** *The maximum intensity and scale of papakāinga development will be determined by the limitations of the site, including:* *a. adequate provision of on-site or off-site infrastructure to serve the papakāinga; and* *b. adverse effects on adjoining properties and the environment are avoided, remedied or mitigated* *while recognising that papakāinga may contain activities of a character, scale, intensity or range that are not provided for in the surrounding area.*	Support	Transpower supports this policy on the basis that it recognises that the maximum intensity and scale of papakāinga development will be determined by the limitations of the site, which could include the proximity of the site to the National Grid.	**Retain as notified.**
Chapter DO2 Natural hazards			
Objective **DO2.2 natural hazards: General Residential Zone, Medium Density Residential Zone, High Density Residential Zone, Inner City Residential Zone and Suburban Commercial Zone** ***Risks to Whakatū Nelson's people, property and infrastructure from natural hazards, including the effects of climate change, are recognised and managed and significant risk is avoided.*** **Reasons** **DO2.2.i** The Nelson region is susceptible to a wide range of natural hazards including coastal and river flooding, fault rupture, slope instability and liquefaction. Natural hazard events can damage property and infrastructure and can lead to injury or loss of life.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas.	**Retain as notified.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
DO2.2.ii Natural hazard risk is the product of both the consequences (for example, damage to properties or loss of life) and the likelihood of the natural hazard occurring. A risk-based approach to managing activities in areas susceptible to natural hazards takes into account the natural hazard affecting the area, activities that may be proposed within the area, and the consequences of the natural hazard affecting activities on that site. **DO2.2.iii** The policies under this objective aim to ensure that activities do not occur in such a way that there is a potential for injury or loss of life, or significant damage to property and infrastructure from natural hazards, when the natural hazard risk could be avoided or mitigated through management of the activity.			
Policy **DO2.2.1 identify areas susceptible to natural hazards** ***Identify, as overlays in the Planning Maps, areas within the region that are susceptible to flooding, faults, liquefaction, and slope instability.*** **Explanation and Reasons** **DO2.2.1.i** The first step in managing risk associated with a particular natural hazard is to identify areas that are potentially susceptible to that natural hazard. This identification is done through the inclusion of natural hazard overlays on planning maps. Areas that are identified as potentially susceptible to a natural hazard are then assessed, if necessary, prior to subdivision or development taking place. **DO2.2.1.ii** For more detail on each of the natural hazard overlays, refer to AD11.3.1 in Chapter 3. **Methods** **DO2.2.1.iii** Identification of areas potentially susceptible to natural hazards and inclusion of natural hazard overlays in the Planning Maps.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas. The identification of such areas within the District Plan is supported to assist with plan interpretation and application.	**Retain as notified.**
Policy **DO2.2.4 flood hazard: subdivision, use and development in flood**	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate	**Amend the policy as follows:**

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areas ***Control subdivision, use and development within Flood Areas to ensure:*** ***1. the type, frequency and scale of projected flooding, and likely damage and effects is appropriately assessed;*** ***2. the building, land use or activity being proposed is suitable and its vulnerability to risk from the flood hazard is not increased;*** ***3. significant risk to people, property, infrastructure and the natural environment, including social and cultural effects, from the flood hazard is avoided;*** ***4. any adverse effects on the function of the floodplain, including flood storage capacity and conveyance are mitigated;*** ***5. any adverse effects beyond the subject site including any exacerbation of, and transfer of, risk is appropriately managed;*** ***6. building platforms are not located within land identified in the High Flood Hazard, Floodways, or Flood Paths;*** ***7. the design, location, layout and construction of buildings and structures, including building platforms, ground/floor levels and adaptation methods provide resilience against and mitigate the projected effects of the flood hazard;*** ***8. any adverse effects on infrastructure and access from flooding in a Flood Areas are mitigated; and*** ***9. the storage and use of hazardous substances in relation to the flood hazard is appropriately managed.*** **Explanation and Reasons** **DO2.2.4.i** The Flood areas indicate the location of areas where flooding may occur. Flooding can cause harm to people and significant damage to buildings and infrastructure. It is important that prior to development consideration is given to the flood hazard and measures are taken to reduce any risk. Refer to Chapter 3 Administration for further information. **Methods** **DO2.2.4.ii** Rules that regulate the activities. **DO2.2.4.iii** Applicants prepare flood assessments where specific detailed information is required.		framework within which to consider new and existing infrastructure within identified natural hazard areas. However, an amendment is sought to the policy to recognise the functional and/or operational need for some activities to locate within the hazard area. Use of capital letters would also assist to reflect the defined terms.	***Policy DO2.2.4 flood hazard: subdivision, use and development in ~~F~~flood ~~A~~areas*** *Control subdivision, use and development within Flood Areas to ensure:* *1. the type, frequency and scale of projected flooding, and likely damage and effects is appropriately assessed;* *2. the building, land use or activity being proposed is suitable and its vulnerability to risk from the flood hazard is not increased, recognising the functional and/or operational need for some activities to locate within the Flood Areas;* .....

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Policy **DO2.2.7 flood hazard: activities and development** ***Enable activities and development in the Flood hazard, flood and inundation overlays where the activity does not increase significant risks of adverse effects from flood hazards to people, property, infrastructure and the natural environment.*** **Explanation and Reasons** **DO2.2.7.i** Provision needs to be made for activity and development to proceed where it is of a type that is not likely to suffer material damage from flooding, or is small in scale that the loss is not unacceptable or where significant risk will be not increased and can be adequately mitigated or avoided. **Methods** **DO2.2.7.ii** Rules that regulate the type and scale of activities.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas. However, an amendment is sought to the policy to recognise the functional and/or operational need for some activities to locate within the hazard areas. Use of capital letters would also assist to reflect the defined terms.	**Amend the policy as follows:** ***DO2.2.7 flood hazard: activities and development*** *Enable activities and development in the Flood hazard, F~~f~~lood and I~~i~~nundation overlays where the activity does not increase significant risks of adverse effects from flood hazards to people, property, infrastructure and the natural environment, recognisng the functional and/or operational need for some activities to locate within the Flood hazard, Flood and Inundation overlays.*
Policy **DO2.2.9 flood hazard: adverse effects** ***Require subdivision, use and development in the Flood Hazard, Inundation and Flood overlays to avoid, remedy or mitigate significant risks of adverse effects resulting from flood hazards, by:*** ***1. providing building platforms, vehicle access and infrastructure that are located to respond to the severity of the hazard and proposed use of the site;*** ***2. implementing measures to maintain the function of the flood plain so ensuring that significant flood risks are not increased either on or off-site; and*** ***3. ensuring significant flood hazard risks to other properties or activities would not be increased and the function of the floodplain would be maintained.*** **Explanation and Reasons** **DO2.2.9.i** The development of activities in flood hazard areas can result in undesirable effects both on-site and beyond the location of the activity.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas. However, an amendment is sought to the policy to recognise the functional and/or operational need for some activities to locate within the hazard areas.	**Amend the policy as follows:** *DO2.2.9 flood hazard: adverse effects* *Require subdivision, use and development in the Flood Hazard, Inundation and Flood overlays to avoid, remedy or mitigate significant risks of adverse effects resulting from flood hazards, by:* *1. providing building platforms, vehicle access and infrastructure that are located to respond to the severity of the hazard and proposed use of the site, recognisng the functional and/or operational need for some activities to locate within the Flood hazard, Flood and Inundation overlays;* *2. implementing measures to maintain the function of the flood plain so ensuring that significant flood risks are not increased either on or off-site; and* *3. ensuring significant flood hazard risks to other properties or activities would not be increased and the function of the floodplain would be maintained.*

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For example, access can be difficult on-site, and off-site the redirection of flood flows may increase the impacts of the flood hazard on adjacent properties. In the preparation of the development consideration should be given to effects both on and off-site. **Methods** **DO2.2.9.ii** Rules that regulate the activities.			
Policy **DO2.2.10 high flood hazard, floodways and flood paths: subdivision, use and development** ***Provide for subdivision, use and development, including redevelopment, in existing urban areas to locate in the High Flood Hazard, Floodways and Flood Paths only where it can be demonstrated that risks to people, property, infrastructure and the natural environment are adequately mitigated, and significant risk is avoided, having particular regard to human life, and emergency management.*** **Explanation and Reasons** **DO2.2.10.i** The areas of high flood flow and/or depth can cause harm to people and significant damage to buildings and infrastructure. Where possible the location of activities in these areas should be avoided. It is important that prior to development consideration is given to the flood hazard and measures are taken to reduce significant risk. Refer to Chapter 3 Administration for further information. **Methods** **DO2.2.10.ii** Rules that regulate the activities. **DO2.2.10.iii** High risk areas are identified early in the development. **DO2.2.10.iv**	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas. However, an amendment is sought to the policy to recognise the functional and/or operational need for some activities to locate within the hazard areas.	**Amend the policy as follows:** ***Policy DO2.2.10 high flood hazard, floodways and flood paths: subdivision, use and development*** *Provide for subdivision, use and development, including redevelopment, in existing urban areas to locate in the High Flood Hazard, Floodways and Flood Paths only where it can be demonstrated that risks to people, property, infrastructure and the natural environment are adequately mitigated, and significant risk is avoided, having particular regard to human life, and emergency management, and recognisng the functional and/or operational need for some activities to locate within the High Flood Hazard, Floodways and Flood Paths overlays.*

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Subdivision that creates an additional vacant allotment that locates any part of an identified building platform or access within the High Flood Hazard or any Floodway or Flood Paths is a non-complying activity.			
Policy **DO2.2.11 Fault Deformation Overlay: subdivision, use and development** ***Control subdivision, use and development within the Fault Deformation Overlay to ensure that:*** ***1. site-specific geotechnical investigation and assessment is undertaken and the risk to people, property, infrastructure and the natural environment is assessed; and*** ***2. the proposed land use or activity, and anticipated use of the site, is appropriate; and*** ***3. the location, size and design of the development, including building platforms, address the potential risks associated with fault deformation.*** **Explanation and Reasons** **DO2.2.9.i** The Fault Deformation Overlay indicates where deformation of the ground may occur due to fault rupture. Fault rupture and deformation of land can cause significant damage to buildings and infrastructure, and harm to people. It is therefore important that, prior to development of a site, a site-specific assessment is undertaken to better understand the location of the fault and potential mitigation measures that can be taken to reduce the risk, including setback from the fault zone. **Methods** **DO2.2.9.ii** Rules requiring a site-specific assessment of fault deformation before subdivision, use or development take place, which includes recommendations regarding the location and use of any buildings on the site and regarding any mitigation measures that can be taken to reduce the risk.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within the identified natural hazard area. However, an amendment is sought to the policy to recognise the functional and/or operational need for some activities to locate within the hazard areas.	**Amend the policy as follows:** ***Policy DO2.2.11 Fault Deformation Overlay: subdivision, use and development*** *Control subdivision, use and development within the Fault Deformation Overlay to ensure that:* *1. site-specific geotechnical investigation and assessment is undertaken and the risk to people, property, infrastructure and the natural environment is assessed, recognisng the functional and/or operational need for some activities to locate within the Fault Deformation Overlay;* *2. the proposed land use or activity, and anticipated use of the site, is appropriate; and* *3. the location, size and design of the development, including building platforms, address the potential risks associated with fault deformation.*
Policy **DO2.2.13 fault hazard: setback from fault zone** ***Require new buildings and network utilities, and additions to existing buildings and network utilities, within the Fault Deformation Overlay to be appropriately set back from the fault zone (where it can be identified)***	Amend	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas.	**Amend as follows:** ***DO2.2.13 fault hazard: setback from fault zone*** *Require new buildings and network utilities, and additions to existing buildings and network utilities,*

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to mitigate significant risk to people and property from fault rupture and associated ground deformation. **Explanation and Reasons** **DO2.2.13.i** A fault zone lies within the Fault Deformation Overlay and is the area where deformation of the ground is likely to occur in the event of a strong earthquake. Setting buildings, extensions and utilities back from the fault zone is the most effective way to mitigate damage to buildings, network utilities and harm to people from fault rupture and ground deformation. **Methods** **DO2.2.13.ii** Rules requiring site specific assessments to recommend a setback for new buildings and network utilities, and additions to existing buildings and network utilities.		The linear nature of the National Grid means that it will be necessary for the Grid to traverse natural hazards, such as fault zones, from time to time. However, the particular requirement in this policy to set back network utilities from fault zones does not recognise that National Grid lines may span fault zones without actually touching them. In this context, it would not be practical or necessary to require lines (as distinct from support structures) to be set back from fault zones. Transpower seeks amendment to the policy to enable these circumstances to be recognised, as well as recognition of the functional and/or operational need for some activities to locate within the Fault Deformation Overlay. This is specifcally applicable to additions and upgrades for existing network utilities.	*within the Fault Deformation Overlay to be appropriately set back from the fault zone (where it can be identified), or otherwise appropriately designed, to mitigate significant risk to people and property from fault rupture and associated ground deformation, recognisng the functional and/or operational need for some activities to locate within the Fault Deformation Overlay.* *Explanation and Reasons* *.....*
Policy **DO2.2.14 liquefaction hazard: subdivision, use and development** ***Control subdivision, use and development within the Liquefaction Hazard Overlay to ensure that:*** ***1. the proposed subdivision, use or development anticipated for the site is suitable;*** ***2. the location, size, design and layout of the subdivision, use or development in relation to the liquefaction risk is appropriate;*** ***3. the level of risk to people, property and infrastructure from the liquefaction hazard is acceptable; and*** ***4. that site-specific geotechnical assessment and proposed mitigation measures identify and adequately address the level of risk from liquefaction hazard before subdivision, use or development takes place.*** **Explanation and Reasons** **DO2.2.14.i** The Liquefaction Hazard Overlay indicates where damage can occur from liquefaction in a strong earthquake. Liquefaction is primarily a risk to the built environment rather than to people. It is important that prior to development of any site, a site-specific assessment is undertaken to better understand the liquefaction hazard and to make recommendations	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas.	**Retain as notified.**

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regarding the location and use of any buildings, and regarding any mitigation measures that can be taken to reduce the risk. **Methods** **DO2.2.14.ii** Rules requiring site-specific assessments of liquefaction before subdivision, land use or development take place.			
Policy **DO2.2.17 Slope Instability Areas 2 and 3, and debris run-out area: subdivision, use and development** ***Manage subdivision, use and development within Slope Instability Areas 2 and 3 and the Debris Run-out Area by:*** ***1. requiring that a site-specific geotechnical assessment is undertaken before subdivision, use or development takes place, taking into consideration the potential slope instability hazard; and*** ***2. ensuring that the risk to people, property and infrastructure is appropriately mitigated; and*** ***3. ensuring that hazard mitigation and remediation works are effectively implemented and do not increase or transfer risk to adjacent properties; unless*** ***4. the building is a small-scale addition, or accessory building, to an existing building.*** **Explanation and Reasons** **DO2.2.17.i** Slope Instability Area 2 is an area identified as potentially having elevated susceptibility to slope instability, while Slope Instability Area 3 is a broader area assessed to be potentially susceptible to slope instability. Some sites in Slope Instability Area 2 and/or 3 are recorded to have been affected by slope failure in the past. The Debris Run-out Area is land outside of Slope Instability Areas 1,2 and 3 that could be affected by the run-out of solid debris (soil and rock) from instability occurring upslope. Some sites in the Debris Run-out Area have been affected by run-out in the past. **DO2.2.17.ii** It is important that, prior to development of a site, a site-specific assessment is undertaken by an experienced Chartered Professional Engineer or Engineering Geologist practicing in geotechnical hazards, to	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas.	**Retain as notified.**

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assess the impact of the proposed activity on the slope instability hazard risk, including recommendations regarding mitigation measures to reduce the risk. The assessment is to include recommendations regarding the location and use of any buildings on the site. **Methods** **DO2.2.17.iii** Rules requiring a site-specific assessment of slope instability before subdivision, use or development take place, which includes recommendations regarding the location and use of any buildings on the site and regarding any mitigation measures required to reduce increasing or transferring slope instability risk.			
Policy **DO2.2.18 activities in Slope Instability Areas 1,2 and 3** ***Ensure that activities in Slope Instability Areas 1, 2 and 3 do not exacerbate or increase the risk of slope failure or debris run-out, both onsite and offsite, by managing:*** ***1. the depth and volume of earthworks; and*** ***2. the discharge of stormwater and wastewater; and*** ***3. the weight of structures that could increase the risk of slope failure from loading.*** **Explanation and Reasons** **DO2.2.18.i** Some activities in Slope Instability Areas 1, 2 and 3 have the potential to exacerbate or increase the risk of slope failure. For example, saturation of the ground, earthworks (excavation or placement of fill) and loading of the site with heavy materials or structures including swimming pools, which may destabilise the land. **Methods** **DO2.2.18.ii** Rules managing activities that may exacerbate or increase the risk of slope instability or debris run-out, both onsite and offsite.	Support	Transpower generally supports the objective and policy framework for natural hazards, as it provides an appropriate framework within which to consider new and existing infrastructure within identified natural hazard areas.	**Retain as notified.**
Chapter DO14 Subdivision and development			
Objective **DO14.4 network utilities**	Support	Transpower supports the proposed amendments to the network utilities objective, on the basis that it recognises that	**Retain objective as notified.**

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Efficient use of network utilities infrastructure while avoiding, remedying, or mitigating the adverse effects of utilities on their surrounding environments, and ensuring that regionally significant infrastructure is not restricted or compromised by subdivision, use and development of other activities. **Reasons** **DO14.4.i** The growth of the Nelson community has resulted in the development of a significant network utility infrastructure to support the community. It is important that efficient use is made of this infrastructure of network utilities as they are often significant community assets. While network utilities are in many cases essential to the community, it must be recognised that they can generate adverse effects on the environments surrounding them. It is appropriate that the adverse effects of network utilities be minimised.		the efficient use of the National Grid must not be restricted or compromised by other activities. This gives effect to the strong and clear policy directive within Policy 10 of the NPSET. Notwithstanding this, Transpower considers that it is necessary to replace part of the policy for transmission lines (DO14.4.2) in order to give effect to the amended objective (see submission point below).	**Replace part of policy DO14.4.2 (transmission lines) so that it gives effect to this objective (see submission point below).**
Policy **DO14.4.2 transmission lines** ***Reduce the potential risks associated with high voltage transmission lines by encouraging the location of these away from urban areas and by ensuring residential development is not located near such lines.*** **Explanation and Reasons** **DO14.4.2.i** The network utility operators that utilise high voltage transmission lines recognise that there is some potential for adverse effects arising from the proximity of these lines to residential development. The effects of concern are the potential health effects of electromagnetic fields and other practical safety concerns. It is appropriate that the Plan enforce established safety distances from this type of network utility. **Methods** **DO14.4.2.ii** Rules in each zone controlling the proximity of residential development to transmission lines. **DO14.4.1.iii** Depiction of transmission lines on the Planning Maps.	Amend	Transpower considers that it is necessary to replace part of the operative policy for subdivision, use and development in relation to transmission lines with a new policy that appropriately recognises the presence of the National Grid as a constraint that must be provided for in the planning of new development. The policy sought by Transpower: • is considered necessary to give effect to the amendments to objective DO14.4, which seeks that regionally significant infrastructure (including the National Grid) is not compromised by subdivision, use and development in proximity to the National Grid; • provides a clear policy link between objective DO14.4, and the rules in the Residential Zone which give effect to it (REr.51 and REr.117); and • is considered necessary to give effect to policies 10 and 11 of the NPSET. For the avoidance of doubt, this submission point is considered consequential on Transpower's submission in support of the amendment to the network utilities objective (set out above).	**Amend policy as follows:** ***Policy*** ***DO14.4.2 National Grid transmission lines*** *Reduce the potential risks associated with ~~high voltage~~ the National Grid transmission lines by encouraging the location of these away from urban areas~~ and by ensuring residential development is not located near such lines.~~* Insert New Policy ***DO14.4.2A Effects on the National Grid*** *Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:* ***a.*** *the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;* ***b.*** *subdivision and other development is managed to ensure the National Grid is not*

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DO14.4.2.iv Assessment criteria on applications.			*compromised and reverse sensitivity effects are avoided.* ***Explanation and Reasons*** *DO14.4.2.i* *~~The network utility operators that utilise high voltage transmission lines recognise that there is some potential for adverse effects arising from the proximity of these lines to residential development. The effects of concern are the potential health effects of electromagnetic fields and other practical safety concerns. It is appropriate that the Plan enforce established safety distances from this type of network utility.~~* *This policy recognises that the safe and efficient operation, maintenance, repair, upgrading, removal or development of the National Grid must not be compromised by the potential adverse effects created by sensitive activities, new development and the subdivision of land near the National Grid.* ***Methods*** *DO14.4.2.ii* *Rules in each zone controlling the proximity of ~~residential~~ sensitive activities and development to National Grid transmission lines.* *DO14.4.1.iii* *Depiction of National Grid transmission lines on the Planning Maps.* *DO14.4.2.iv* *Assessment criteria on applications.*
Chapter DO15 Peripheral urban expansion			
Objective ***DO15.1 urban form*** ***An urban form that supports a well-functioning urban environment in which intensive development is ~~not detached from~~consolidated within existing urban zone boundaries and which avoids or mitigates adverse***	Support	Transpower supports the proposed amendments to the urban form objective. Many of Transpower's assets are located within rural areas. Maintaining a consolidated urban form will reduce the risk that ad-hoc urban development encroaches on the National Grid outside of existing urban zone boundaries.	**Retain as notified.**

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effects on ecological, recreational, cultural, community and amenity values. **Reasons** **DO15.1.i** There is ready access to countryside from the present urban zones, for example into the Maitai Valley, and Grampians. Views of the countryside are available to commuters from State Highways and arterial roads, for example between Richmond and Stoke and at Bishopdale Saddle. Existing land allocated to the urban zones and the capacity of most existing infrastructure are sufficient to cater for significant future growth.			
Policy **DO15.1.1 encouragement of ~~infill~~development** ***To encourage ~~infill developments provided~~development in suitable locations within the ~~adverse effects on character~~urban area to support an increase in the density and ~~amenity values~~diversity of ~~existing areas are avoided, remedied or mitigated~~housing supporting activities in accessible locations.*** **Explanation and Reason** **DO15.1.1.i** This policy promotes a well-functioning urban environment with a compact urban form~~, while as far as possible retaining existing character and amenities of localities~~. This is to conserve the recreational and visual amenity of the existing rural areas that surround the urban area of the District. It is also to promote the efficient use and development of infrastructure and land, and to provide a framework within which the true costs and benefits of new and existing infrastructure and reticulation are considered. Infill development may be appropriate in many parts of the city, and can involve new development, or redevelopment. It generally provides for greater intensity of use and development.	Amend	The proposed amendments to the policy significantly broadens its scope so that it applies to all development (not just in-fill development). The focus of the policy is also changed to seek an increase in density. Transpower has concerns with using the term "suitable" as it does not, on its own, assist with plan interpretation. Transpower considers that because the policy now seeks to encourage development more broadly, the policy also needs to acknowledge that there will be constraints on development (such as the presence of the National Grid) that must be taken into consideration. The amended policy wording recognises this. This amendment is considered necessary to give effect to Policy 10 and Policy 11 of the NPSET.	**Amend as follows:** ***Policy*** ***DO15.1.1 encouragement of ~~infill~~development*** *To encourage ~~infill developments provided~~ development in suitable locations within the ~~adverse effects on character~~ urban area to support an increase in the density and ~~amenity values~~diversity of ~~existing areas are avoided, remedied or mitigated~~ housing supporting activities in accessible locations, while recognising that there may be constraints on development within the urban area.* ***Explanation and Reason*** ***DO15.1.1.i*** *This policy promotes a well-functioning urban environment with a compact urban form~~, while as far as possible retaining existing character and amenities of localities~~. This is to conserve the recreational and visual amenity of the existing rural areas that surround the urban area of the District. It is also to promote the efficient use and development of infrastructure and land, and to provide a framework within which the true costs and benefits of new and existing infrastructure and reticulation are considered. Infill development may be appropriate in many parts of the city, and can involve*

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			new development, or redevelopment. It generally provides for greater intensity of use and development. In some circumstances, new development may not be appropriate, such as where in proximity of the National Grid ...
Chapter 7 Residential Zone Objectives and Policies			
Policy **RE1.6 general residential zone** ***Increase housing choice and diversity by enabling a suburban planned built character comprising residential buildings generally up to two storeys, surrounded by open space.*** **Explanation and Reasons** **RE1.6.i** This zone enables a range of housing types, including detached and attached residential units, and achieves a suburban residential character by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space. **Method** **RE1.6.ii** Rules setting minimum standards to provide for a high quality living environment and residential amenity.	Support	The National Grid is located within parts of the General Residential Zone. Transpower generally supports this policy on the basis that it provides for a level of development that is appropriate, in combination with the objectives, policies and rules restricting development near the National Grid. However an amendment is sought to recognise that development in all areas it not always appropriate, for example in identified hazard areas or within proximity of the National Grid.	**Amend the policy as follows:** ***Policy*** ***RE1.6 general residential zone*** *Increase housing choice and diversity by enabling, where appropriate, a suburban planned built character comprising residential buildings generally up to two storeys, surrounded by open space.* *Explanation and Reasons* ....
Policy **RE2.8 community benefit** ***It is recognised:*** ***that certain non-residential activities need to locate in the Residential Zone, ~~and~~ that some existing non-residential activities may need to be explicitly provided for in the zone, and that some non-residential activities may enhance the amenity and sense of community of residential areas and will support the social and economic well-being of the local community.***	Amend	Transpower generally supports the proposed amendments to this policy on the basis that they better recognise that non-residential activities (such as the National Grid) are necessarily located in the General Residential Zone, and that they will support the social and economic well-being of the community. However, Transpower seeks that the benefits to the wider community are also acknowledged, on the basis that the benefits of some non-residential activities (such as the National Grid) are principally to the wider community (and not just the local community).	**Amend as follows:** ***Policy*** ***RE2.8 community benefit*** *It is recognised:* *that certain non-residential activities need to locate in the Residential Zone, ~~and~~ that some existing non-residential activities may need to be explicitly provided for in the zone, and that some non-residential activities may enhance the amenity and sense of community of residential areas and will support the social and economic well-being of the local or wider community.*
Chapter 7 Residential Zone Rules			

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REr.51 ***~~Buildings~~Activities near transmission lines***	Support	Transpower supports the amendment to the title of the rule, as it better recognises that a range of activities are regulated by the rule. However an amendment is sought to make the rule specific to the National Grid.	**Amend as follows:** *REr.51* *~~Buildings~~Activities near National Grid transmission lines*
Permitted *REr.51.1* a. *Sensitive activities including Residential units, or education facilities (including any preschool or day care centre) must not be located within 20m of any existing above ground, or within 10m of any existing underground electricity transmission line with a capacity greater than or equal to 66kV.* b. *A building or structure within the National Grid Yard is a permitted activity, provided that:* 1. *it is a non- habitable accessory building or structure that is not more than:* i. *2.5m in height; and* ii. *10m² in area;* *or* 2. *it involves alterations to an existing building or structure and there is no increase in height or footprint; or* 3. *it is a building not associated with a sensitive activity; and:* i. *where located under a National Grid Conductions (wires) must:* a. *achieve a minimum vertical clearance of 10m below the lowest point of any conductor; and* b. *demonstrate that safe electrical electrical safe distances required by NZECP 34:2001 are maintained under all National Grid transmission line operating conditions; and* ii. *is located at least 12m from the outer visible foundation of any National Grid support structure or associated stay wire; or* 4. *it is a fence that is:* i. *no higher than 2.5m in height; and* ii. *complies with NZECP 34:2001; or* 5. *it is a network utility within the legal road; or* 6. *it is any part of electricity infrastructure.*	Amend	While Transpower in principle supports amending the permitted activity standards to better recognise and provide for the National Grid, amendments are sought. In relation to standard (a), Transpower considers this standard should be deleted as sensitive activities are addressed in the second part of the rule, and the setbacks prescribed in the rule do not reflect the current engineering based approach to manage development in proximity of the National Grid. The reference to 66kV is also confusing as there are no 66kV transmission assets within the Nelson region. In relation to standard (b), Transpower considers several amendments are necessary in order to provide for Transpower's engineering-based approach to managing development near the National Grid. This recognises that there are different standards for development around National Grid support structures, and underneath National Grid conductors (wires).	**Amend as follows:** ***Permitted*** *REr.51.1* *~~a. Sensitive activities including Residential units, or education facilities (including any preschool or day care centre) must not be located within 20m of any existing above ground, or within 10m of any existing underground electricity transmission line with a capacity greater than or equal to 66kV.~~* *~~a.~~ ~~b.~~ An activity, building or structure within the National Grid Yard is a permitted activity, provided that it is:* *~~1. it is a non- habitable accessory building or structure that is not more than:~~* *~~i. 2.5m in height; and~~* *~~ii. 10m2 in area; or~~* *~~2. it involves alterations to an existing building or structure and there is no increase in height or footprint; or~~* *~~3. it is a building not associated with a sensitive activity; and:~~* *~~i. where located under a National Grid Conductions (wires) must:~~* *~~a. achieve a minimum vertical clearance of 10m below the lowest point of any conductor; and~~* *~~b. demonstrate that safe electrical electrical safe distances required by NZECP 34:2001 are maintained under all National Grid~~*

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			~~transmission line operating conditions; and~~ ~~ii. is located at least 12m from the outer visible foundation of any National Grid support structure or associated stay wire; or~~ ~~4. it is a fence that is:~~ ~~i. no higher than 2.5m in height; and~~ ~~ii. complies with NZECP 34:2001; or~~ ~~5. it is a network utility within the legal road; or~~ ~~6. it is any part of electricity infrastructure.~~ *1) Alterations and additions to an existing building or structure for a sensitive activity that does not involve an increase in the building height or footprint.* *2) Accessory buildings for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m2 in area.* *3) Network utilities as defined in section 166 of the RMA and electricity generation that connects to the National Grid* *4) Fences located at least 6m from a National Grid support strucutre.* *Permitted activity standards* *1) All buildings or structures in the National Grid Yard must comply with the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP34:2001).* *2) Any building, structure or activity must not permanently physically impede vehicular access to a National Grid support structure.*
Controlled *REr.51.2* *not applicable*	Support	Transpower supports that there are no controlled activities in relation to this rule.	**Retain as notified.**
Discretionary/Non-complying/Prohibited *REr51.3*	Support	Transpower supports a non-complying activity status for development near the National Grid that does not comply	**Amend as follows:** *Discretionary/Non-complying/Prohibited*

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Activities that contravene a permitted condition or are ~~discretionary~~not otherwise provided for are non-complying. *Any application under this rule will not be publicly or limited notified except that limited notification must be only to Transpower (New Zealand Limited) (unless Transpower New Zealand provided its written approval).*		with permitted activity standards or is not otherwise provided for. This is necessary to give effect to policies 10 and 11 of the NPSET. The notification clause specific to Transpower is supported to ensure Transpower is involved and notified of any consent applications. This is particularly important given the technical considerations in developing within the National Grid Yard. An amendment is sought to the rule to clarify those sensitive activities which are non-complying. This would make it clear to plan users.	*RErr51.3* *1) Establishing sensitive activities in an existing building or a new building;* *2) Alterations and additions to an existing building or structure for a sensitive activity that involves an increase in the building height or footprint;* *3). Activities that contravene a permitted condition or are ~~discretionary~~not otherwise provided for; are non-complying.* *Any application under this rule will not be publicly or limited notified except that limited notification must be only to Transpower (New Zealand Limited) (unless Transpower New Zealand provided its written approval).*
Assessment Criteria *RErr.51.4* *a. any potential or cumulative effects on health of persons from exposure to electro-magnetic fields from existing facilities in the area.* *b. any effects to and from structures and lines including noise, visual impact and physical risk.* *c. access to the structures and lines.*	Oppose	Transpower opposes specifying assessment criteria under this rule as activities which do not comply with RErr.51.1 are a non complying activity under RErr.51.3. While the intent of such provisions may be to direct decision-makers to make sure it takes into account key policy directions, the criteria are considered not necessary within context of a non-complying rule framework. The provision of assessment criteria arguably constrains the assessment and is not standard practice for a non-complying activity.	**Amend as follows:** ***~~Assessment Criteria~~*** ***~~RErr.51.4~~*** ***~~a. any potential or cumulative effects on health of persons from exposure to electro-magnetic fields from existing facilities in the area.~~*** ***~~b. any effects to and from structures and lines including noise, visual impact and physical risk.~~*** ***~~c. access to the structures and lines.~~***
Explanation ***RErr51.5*** ***A limited number of high voltage transmission lines traverse the Residential Zone. These locations are shown on the Planning Maps. A separation distance between lines and housing is appropriate for a range of reasons including physical aspects and possible long term health exposure risks which may affect some people living in close proximity to major lines. This reflects a precautionary approach to electromagnetic fields and other effects of major overhead transmission lines. The rule provides an opportunity for evaluation of such effects when new housing is proposed in proximity to these lines (see also RErr.53 for new lines).***	Amend	Transpower considers that several amendments to the explanation under the rule are necessary. This includes: • Referencing the "National Grid transmission lines" instead of "high voltage transmission lines", to recognise that the rule relates to activities near the National Grid. • Referencing "support structures" in addition to "lines", to recognise that the National Grid is made up both of lines and their support structures. • Replacing references to "housing" with reference to "sensitive activities", to recognise that there are a broader range of activities that are sensitive to the National Grid.	**Amend as follows:** *Explanation* *RErr51.5* ***~~A limited number of high voltage transmission lines traverse~~*** *National Grid transmission lines traverse parts of the Residential Zone. These locations are shown on the Planning Maps. A separation distance between these assets* ***~~lines~~*** *and* ***~~housing~~*** *activities* ***~~is appropriate for a range of reasons including physical aspects and possible long term health exposure risks which may affect some people living in close proximity to major lines. This reflects a precautionary approach to electromagnetic fields and other effects~~***

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All buildings, structures, plant and excavations are also required to comply with NZECP 34 2001 for Electrical Safe Distances. In some situations, depending upon the length of span and operating temperature of the line, a greater separation distance than is provided for in the rule may be necessary. Advice should be sought from the line owner.		• Removal of the reference to the health effects of the National Grid. The health effects of the National Grid are managed outside of the RMA, under the International Commission on Non-ioninsing Radiation Protection *ICNIRP GUIDELINES FOR LIMITING EXPOSURE TO TIME-VARYING ELECTRIC AND MAGNETIC FIELDS (1HZ – 100 kHZ) PUBLISHED IN: HEALTH PHYSICS 99(6):818-836; 2010* ICNIRPLFgdl.pdf	~~*of major overhead transmission lines. This also*~~ *recognises that the safe and efficient operation, maintenance, repair, upgrading, removal or development of the National Grid must not be compromised by the potential adverse effects created by sensitive activities, new development and the subdivision of land near the National Grid. The rule provides an opportunity for evaluation of such effects when new* ~~*housing*~~ *sensitive activities are* ~~*is*~~ *proposed in proximity to the National Grid* ~~*these lines*~~ *(see also REr.53 for new lines).* *All buildings, structures, plant and excavations are also required to comply with NZECP 34 2001 for Electrical Safe Distances. In some situations, depending upon the length of span and operating temperature of the line, a greater separation distance than is provided for in the rule may be necessary. Advice should be sought from the line owner/operator.*
REr.61 **Earthworks** **[...]**	Amend	In addition to rule REr.51, in order to give effect to the NPSET, Transpower considers it necessary to amend the Residential Zone earthworks rules so that there is a specific rule and standard for earthworks within the National Grid Yard. Earthworks activities can compromise the National Grid. Specifically, uncontrolled earthworks can affect access, undermine the support structures or generate dust. The latter can result in the build-up of material on the National Grid lines and increase the wear on the equipment reducing its useable lifespan. Excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures and conductors around the lines and may lead to potential support structure failure and significant constraints on the operation of the lines, such as power outages.	Add a new earthworks rule as follows: ***REr.61B*** ***Earthworks in the National Grid Yard*** ***Permitted*** *REr.61B.1* *Earthworks or vertical holes in the National Grid Yard are a permitted activity, provided that they do not:* *a. exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure.* *b. exceed 3 m depth where located between 6m and 12 m of the outer edge of the visible foundation of any National Grid support structure.* *c. result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.* *d. compromise the stability of a National Grid support structure.*

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		For these reasons, Transpower seeks controls on earthworks near the National Grid. The rule framework sought by Transpower achieves Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to maintain and operate it. It also gives effect to objective DO14.4 (see submission point above), which seeks that the National Grid is not compromised by subdivision, use and development associated with other activities. A notification clause is inserted to ensure Transpower is involved and notified of any consent applications. This is particularly important given the technical considerations in developing within the National Grid Yard. The clause reflects that notified within the National Grid Yard rule REr51.3.	*The following earthworks or vertical holes are exempt from a. and b. above:* *i. earthworks or vertical holes, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;* *ii. earthworks or vertical holes, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;* *iii. earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).* ***Controlled*** *REr.61B.2 not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.61B.3* *Activities that contravene a permitted condition or are not otherwise provided for are non-complying. Any application under this rule will not be publicly or limited notified except that limited notification must be only to Transpower New Zealand Limited (unless Transpower New Zealand Limited provided its written approval).* ***Explanation*** *REr.61B.4* *The National Grid transmisison lines traverses parts of the Residential Zone. These locations are shown on the Planning Maps. A separation distance between lines, support structures and earthworks recognises that the safe and efficient operation, maintenance, repair, upgrading, removal or development of the National Grid must not be compromised by the potential adverse effects created by earthworks near the National Grid.*

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REr.54 ***Minor Upgrading of Electricity Transmission Lines and Support Structures*** *The National Environmental Standards for Electricity Transmission Activities (NESETA) contain a separate code of rules for the operation, maintenance, upgrading, relocation or removal of an existing transmission line, which is part of the National Grid, as defined in the regulations. Except as provided for by the regulations, no rules in the Nelson Resource Management Plan apply to such activities. Where an activity does not relate to an existing transmission line that is part of the National Grid, or where new transmission lines and associated structures are proposed, the provisions of the Nelson Resource Management Plan apply.*	Support	Transpower supports the amendment to the rule on the basis that it appropriately recognises the role of the NESETA in relation to the provisions of the Nelson Resource Management Plan.	**Retain as notified.**
REr.73 ***Fault ~~Hazard~~Deformation Overlay*** *Building or network utility* ***Permitted*** *REr.73.1* *~~Erection, extension or alteration of~~In the Fault Deformation Overlay a building ~~within the Fault Hazard Overlay~~or a network utility (except an accessory building or an addition to a building or a network utility) is ~~permitted provided that:~~* *~~a. where~~not a ~~fault trace can be identified and precisely located by reference to the Council conditions book, subdivision files, site files, or GIS database, then the building is set back at least 5m from that fault trace~~permitted activity.* *~~b. no setback is required in the portion of the Fault Hazard Overlay between Seymour Avenue, and Cambria Street for any building used for residential purposes which are not more than 7.5m in height and designed for the permanent occupation of fewer than 20 persons.~~* ***Controlled*** ***REr.73.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** ***REr.73.3*** *~~Activities that contravene~~ In the Fault Deformation Overlay a ~~permitted condition are~~building or a network utility (except an accessory building or an addition to a building or a network utility) is a restricted discretionary activity.*	Support	Transpower has existing National Grid transmission lines that traverse the Fault Deformation Overlay, as well as part of the Stoke substation designation. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring, increasing voltage, additions to or replacement of structures, and removal, for the existing National Grid. These provisions will prevail over the rules of the Nelson Resource Management Plan. Notwithstanding the application of the NESETA, Transpower generally supports the restricted discretionary activity status for new network utilities in the Fault Deformation Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas. However, clarity is sought as to whether the rule applies to existing, upgraded or new network utilities. The application of the rule as notified is not clear. The numbering of REr.73.3 also requires review.	**Retain as notified but clairfy if the rule applies to existing, upgraded or new network utilities.**

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Discretion is restricted to: *i. the level of fault hazard ~~avoidance~~on the site; and* *ii. the location, scale and nature of the activity proposed for the site; and* *iii. the level of risk including to people, property and infrastructure, both onsite and off the site; and* *iv. mitigation measures recommended to reduce the risk including setback from the fault or fault zone;* *as detailed in an assessment of the fault hazard risk provided in a statement issued by an experienced Chartered Professional Engineer or Engineering Geologist practicing in geotechnical hazards that is submitted with the resource consent application; and* *v. the extent to which the proposal demonstrates that mitigation measures recommended under iv. ~~(The application must be accompanied by a geotechnical assessment from a suitably qualified and experienced geotechnical engineer or engineering geologist.)~~* *~~Resource consent applications for restricted discretionary activities~~ will be ~~considered without notification or obtaining the written consent of neighbours under section 94 of the Resource Management Act~~implemented.* ***Assessment Criteria*** *REr.73.4* *For any resource consent application under these rules the Council will require a site-specific geotechnical assessment of the fault hazard, identifying the location of the fault zone (if it is able to be located), and the likely frequency and magnitude of movement of the fault.* *a. the extent to which the proposed activity could be affected by fault rupture and ground deformation.* *b. the risk to life, property and the environment posed by ~~the natural~~fault deformation hazard~~. the extent that,~~ considering the ~~natural hazard applies only to part~~nature of ~~the site, and consequently whether the~~ proposed activity ~~would be unaffected by the hazard, and would not in turn affect the hazard itself~~.* *~~d. the extent to which the activity would worsen the risk posed by the natural hazard.~~* *c. ~~e.~~ the extent to which the effects of the ~~hazard, or the effects of the activity on the~~fault deformation hazard~~,~~ can be ~~remedied or~~ mitigated.* *~~f. the nature of the proposed activities on the site, or on other sites potentially affected by the natural hazard.~~* *~~g. the likely frequency and magnitude of movement.~~*			

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Explanation *REr.73.5* *Fault rupture and deformation of land can cause significant damage to buildings and infrastructure, and harm to people.* *The Fault ~~Hazard~~Deformation Overlay indicates where deformation of the ground may occur due to fault rupture. The 'fault zone' lies within the Fault Deformation Overlay and is ~~shown as a corridor within which~~well-defined area where the fault ~~line or lines~~may rupture, and deformation of the ground is ~~expected~~likely to ~~be located. The Council holds various records (e.g. subdivision files~~occur.* *It is therefore appropriate to control all building, ~~records of~~except for small accessory buildings , in the Fault Deformation Overlay, and to require a site-specific geotechnical ~~assessments) which can precisely locate the fault lin e o n som e sites . I n thes e situations, where~~assessment to confirm the location of the fault ~~is known, then a building must be set back a minimum of 5m~~and to recommend mitigation including an appropriate setback from ~~that fault. Where~~ the fault ~~cannot be located from Council records then no set back~~zone.* *The Fault Awareness Overlay also indicates where deformation of ~~a~~the ground may occur due to fault rupture, however in this area the fault is poorly defined and there is significant uncertainty regarding the specific fault location. It is appropriate to control building ~~is required (and~~of new residential units in the Fault ~~Hazard~~Awareness Overlay, ~~simply provides information~~and to ~~property owners or potential owners).~~* *~~In the Wood area between Seymour Avenue and Cambria Street, deep alluvial sediments overlay the fault trace. This makes the precise location~~require a site-specific geotechnical assessment as part of the ~~fault trace very difficult~~resource consent process to ~~establish. Even if the location of the fault trace could be established, the surface effect of any fault movement would be difficult~~manage risk to ~~accurately predict given the depth of the overlying sediment. Therefore between Seymour Avenue~~people and ~~Cambria Street there are no controls on the establishment of conventional residential units. However apartment blocks, rest homes, and other tall buildings or buildings with a high number of occupants do require more scrutiny. The Building Act also regulates siting of buildings by reference to seismic risks~~property.* *~~A separate rule applies to subdivision of land within the Fault Hazard Overlay.~~*			

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
REr.73A ***Fault Deformation Overlay*** *Addition to an existing building or network utility* ***Permitted*** *REr.73A.1* *In the Fault Deformation Overlay an addition to an existing building or network utility is a permitted activity provided that the gross floor area of the addition does not exceed 10m2.* ***Controlled*** ***REr.73A.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.73A.3* *In the Fault Deformation Overlay activities that contravene a permitted condition are restricted discretionary activities. Discretion is restricted to:* *i. the level of fault hazard on the site; and* *ii. the location, scale and nature of the activity proposed for the site; and* *iii. the level of risk including to people, property and infrastructure, both onsite and off the site; and* *iv. mitigation measures recommended to reduce the risk including setback from the fault or fault zone;* *as detailed in an assessment of the fault hazard risk provided in a statement issued by an experienced Chartered Professional Engineer or Engineering Geologist practicing in geotechnical hazards that is submitted with the resource consent* ***Assessment Criteria*** ***REr.73A.4*** *Refer to REr.73.4.* ***Explanation*** ***REr.73A.5*** *Refer to REr.73.5.*	Support	Transpower has existing National Grid transmission lines that traverse the Fault Deformation Overlay, as well as part of the Stoke substation designation. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring, increasing voltage, additions to or replacement of structures, and removal, for the existing National Grid. These provisions will prevail over the rules of the Nelson Resource Management Plan. Notwithstanding the application of the NESETA, Transpower generally supports the restricted discretionary activity status for additions to network utilities within the Fault Deformation Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas.	**Retain as notified.**
REr.74A ***Liquefaction Hazard Overlay*** *Building or network utility*	Support	Transpower has existing National Grid transmission lines that traverse the Liquefaction Hazard Overlay. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring, increasing voltage, additions	**Retain as notified.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
Permitted *REr.74A.1* *In the Liquefaction Hazard Overlay a building or network utility is a permitted activity provided that:* *a. the building or network utility does not contain a habitable space, has a gross floor area less than 36m2 and is not more than 4.5m high; or* *b. it is an addition to an existing building or network utility; or* *c. the building or network utility occurs on a lot which was created by a subdivision that obtained resource consent, and where the subdivision application included a site-specific assessment of liquefaction for the lot prepared by a suitably qualified and experienced professional Geotechnical Engineer or Engineering Geologist which included recommendations to mitigate the risk from liquefaction hazard.* ***Controlled*** ***REr.74A.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.74A.3* *In the Liquefaction Hazard Overlay a building or a network utility that contravenes a permitted condition is a restricted discretionary activity. Discretion is restricted to:* *i. the level of liquefaction hazard on the site; and* *ii. the location, scale and nature of the activity proposed for the site; and* *iii. the level of risk including to people, property and infrastructure, both onsite and off the site; and* *iv. mitigation measures recommended to reduce the risk; and* *as detailed in an assessment of the liquefaction hazard risk provided in a statement issued by an experienced Chartered Professional Engineer or Engineering Geologist practicing in geotechnical hazards that is submitted with the resource consent application; and* *v. the extent to which the proposal demonstrates that mitigation measures recommended under iv. will be implemented.* ***Assessment Criteria*** *REr.74A.4* *a. for any resource consent application under these rules the Council will require a site-specific geotechnical assessment of the liquefaction hazard.*		to or replacement of structures, and removal, for the existing National Grid. These provisions will prevail over the rules of the Nelson Resource Management Plan. Notwithstanding the application of the NESETA, Transpower generally supports the restricted discretionary activity status for new network utilities in the Liquefaction Hazard Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas.	

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
b. the extent to which the proposed activity could be affected by liquefaction. *c. the risk to property, infrastructure and the environment posed by liquefaction hazard, considering the nature of the proposed activity.* *d. the extent to which the effects of liquefaction hazard can be mitigated.* ***Explanation*** *REr.74A.5* *Liquefaction occurs when strong ground shaking, such as during an earthquake, causes loose and saturated sediments to lose strength and behave as a fluid.* *Liquefaction may cause ejection of liquefied material and groundwater, differential settlement of the ground surface and cracking of the ground surface associated with lateral spread. Structures founded on soils that have liquefied may experience bearing failure, differential settlement, and/or large horizontal displacements.* *The Liquefaction Hazard Overlay indicates areas where liquefaction-induced ground damage is possible in a strong earthquake.* *Controls have been included for buildings and network utilities within the Liquefaction Hazard Overlay to ensure that foundation and building design appropriately considers the potential for liquefaction damage to occur, and to ensure that a site-specific geotechnical assessment is undertaken to confirm the land is suitable for the intended use, and to ensure that appropriate mitigation of the liquefaction hazard is identified and implemented.*			
REr.75M ***Slope Instability Area 3 Overlay*** *Stormwater and wastewater* ***Permitted*** *REr.75M.1* *In the Slope Instability Area 3 Overlay:* *a. discharge of stormwater from any roof, impermeable area or water storage area (including any swimming pool) is a permitted activity, provided it is piped into an approved stormwater system.* *b. discharge of wastewater is a permitted activity, provided it is piped into an approved wastewater system.* ***Controlled*** ***REr.75M.2***	Amend	Transpower has existing National Grid transmission lines that traverse the Slope Instability Area 3 Overlay. Part of the Stoke Substation designation (DTP1) is also located within the overlay. Transpower generally supports the permitted activity standards, and the discretionary activity status for breaches of permitted activity standards, for stormwater and wastewater in the Slope Instability Area 3 Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas. However, it appears that the assessment criteria and explanation have been incorrectly cross referenced. This should be corrected.	**Amend the explanation and assessment criteria to cross-refer to the correct rule.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
not applicable ***Discretionary/Non-complying/Prohibited*** *REr.75M.3* *In Slope Instability Area 3 activities that contravene a permitted condition are discretionary activities.* ***Assessment Criteria*** *REr.75M.4 to REr.75R.4* *a. for any resource consent application under these rules the Council will consider any of the matters of restricted discretion for slope instability hazard in this plan relevant to the activity, and in particular, any risk to people, property and infrastructure from the slope instability hazard.* *b. the extent to which the proposed activity could be affected by the hazard.* *c. the risk to life, property and the environment posed by any hazard, considering the nature of the proposed activity.* *d. the extent to which the effects of the hazard or can be remedied or mitigated.* *e. the geology of the site including any relationship or effect on areas of actual or potential instability off the site. Any susceptibility to slope failure from oversteepening of the slope and/or water saturation.* *f. the extent to which the activity would worsen the risk of instability on other sites, for example by discharge of stormwater, or changes in water flows.* *g. in respect of earthworks, the assessment criteria set out in Rule REr.61 - Earthworks.* *h. the nature of any fill and its effects on the stability of the site.* ***Explanation*** *REr.75M.5 to REr.75R.5* *Slope Instability Area 3 consists of broader areas with some potential for slope instability because of either steepness or geological composition, or a combination of these factors. While the risk of slope failure is not as high as Slope Instability Areas 1 and 2, it is appropriate to manage activities to manage risk to people, property and infrastructure.* *Therefore, any new residential development or increase in the density of residential units in Slope Instability Area 3 requires resource consent for which an assessment of slope instability risk is needed.*			

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
Conditions have been placed on disposal of stormwater and other water (e.g. from swimming pools) because if disposed onto land, this water can worsen the risk of slippage by lubricating and adding to the weight of the land. There are also conditions on earthworks and structures which can initiate further movement of the slope.			
REr.75N ***Slope Instability Area 3 Overlay*** *Earthworks* ***Permitted*** *Rer.75N.1* *In the Slope Instability Area 3 Overlay earthworks are a permitted activity provided:* *a. any cut does not exceed 0.6m in height; and* *b. on any site the placement of fill does not exceed 20m3 in total volume, and is spread over a minimum area of 10m2.* ***Controlled*** ***Rer.75N.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *Rer.75N.3* *In Slope Instability Area 3 activities that contravene a permitted condition are discretionary activities.* ***Assessment Criteria*** ***Rer.75N.4*** *Refer to Rer.75J.4.* ***Explanation*** *Rer.75N.5* *Refer to Rer.75J.5.*	Amend	Transpower has existing National Grid transmission lines that traverse the Slope Instability Area 3 Overlay. Part of the Stoke Substation designation (DTP1) is also located within the overlay. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring, increasing voltage, additions to or replacement of structures, and removal, for the existing National Grid, and these will override the provisions of the NRMP. In relation to the Stoke Substation, the designation will override the provisions of the NRMP. Notwithstanding the application of the NESETA and the designation, Transpower generally supports the permitted activity standards, and the discretionary activity status for breaches of permitted activity standards, for earthworks in the Slope Instability Area 3 Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas. However, it appears that the assessment criteria and explanation have been incorrectly cross referenced. This should be corrected.	**Amend the explanation and assessment criteria to cross-refer to the correct rule.**
Rer.75O ***Slope Instability Area 3 Overlay*** *Structures* ***Permitted*** *Rer.75O.1*	Amend	Transpower has existing National Grid transmission lines that traverse the Slope Instability Area 3 Overlay. Part of the Stoke Substation designation (DTP1) is also located within the overlay. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring,	**Amend the explanation and assessment criteria to cross-refer to the correct rule.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
In the Slope Instability Area 3 Overlay structures are a permitted activity provided that the structure does not increase the loading on the site by more than 5,000kg (including 5,000 litres of liquid). ***Controlled*** *Rer.75O.2* *not applicable* ***Discretionary/Non-complying/Prohibited*** *Rer.75O.3* *In Slope Instability Area 3 Overlay activities that contravene a permitted condition are restricted discretionary activities.* *Discretion is restricted to:* ***v. the level of slope instability hazard on the site; and*** *ii. the location, scale and nature of the activity proposed for the site; and* *iii. the level of risk including to people, property and infrastructure, both onsite and off the site; and* *iv. mitigation measures recommended to reduce the risk; and* *as detailed in an assessment of the slope instability hazard risk provided in a statement issued by an experienced Chartered Professional Engineer or Engineering Geologist practicing in geotechnical hazards that is submitted with the resource consent application; and* *v. the extent to which the proposal demonstrates that mitigation measures recommended under iv. Will be implemented.* ***Assessment Criteria*** *Rer.75O.4* *Refer to Rer.75J.4.* ***Explanation*** ***Rer.75O.5*** *Refer to Rer.75J.5.*		increasing voltage, additions to or replacement of structures, and removal, for the existing National Grid, and these will override the provisions of the NRMP. In relation to the Stoke Substation, the designation will override the provisions of the NRMP. Notwithstanding the application of the NESETA and the designation, Transpower generally supports the restricted discretionary activity status for new structures in the Slope Instability Area 3 Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas. However, it appears that the assessment criteria and explanation have been incorrectly cross referenced. This should be corrected.	
REr.82 ***Flood Path, ~~FloodOverlays~~Floodway*** ***Permitted*** *REr.82.1* *In any Flood Path or Flood Overlay, or ~~any flood path specified in the Flood Path Table at the front of the Planning Maps~~Floodway (with the exception*	Support	Transpower has existing National Grid transmission lines that traverse the Floodway Overlay. In relation to transmission lines, the NESETA provides prevailing provisions for maintenance, reconductoring, increasing voltage, additions to or replacement of structures, and removal, for the existing National Grid. These provisions will prevail over the rules of the Nelson Resource Management Plan.	**Retain as notified.**

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of subdivisions approved after October 25th 1996), the following are ~~not~~ permitted activities: *a. ~~erection or extension of any building or structure, except:~~* *~~i. fences of post and wire, or post and mesh (minimum 100 x 150mm construction) within the Flood Overlay), and~~* *i. underground network utility lines~~, and~~; or* *ii. above ground network utility lines where these are attached to an existing structure no lower than the existing profile of that structure (e.g. ~~The~~the underside of a bridge superstructure)~~,~~; or* *b. earthworks ~~(except where these are associated~~(associated with the establishment, operation and maintenance of underground network utility lines where the profile of the land is not permanently altered); or* *c. the operation, maintenance, renewal, repair or minor infrastructure upgrade of existing land drainage works, stormwater management devices or flood mitigation works where the work is being undertaken by a network utility operator.* ***Controlled*** *REr.82.2* *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.82.3* *Activities and buildings that contravene a permitted condition are discretionary.* ***Assessment Criteria*** *REr.82.4* *a. any effects of the development on ~~floodpaths~~any floodpath or floodway.* *b. any likelihood of flooding being aggravated on adjacent sites, or of additional water being directed onto adjacent sites.* *c. the ground level or floor level height required to give protection from a 1 in ~~50~~100 year (2130) return period event.* *d. the nature of any activity proposed, particularly if lower standards are sought and whether the activity will involve the use and storage of hazardous substances or some other sensitive use.* *e. potential shading of neighbouring properties from development of the site, including fences.*		In addition to this, the Floodway Overlay also passes through the Stoke Substation designation DTP1. It is noted that the Floodway Overlay rules will not apply within the designation. Notwithstanding the application of the NESETA and the Stoke Substation designation, Transpower generally supports the permitted activity standards for network utilities, and discretionary activity status for other activities, in the Floodway Overlay. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas.	

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Explanation *REr.82.5* *All buildings and any above ground structures, and any earthworks (other than temporary earthworks for laying underground utilities) in any flood ~~paths~~path or floodway have been made discretionary activities so the degree of risk to life and property can be evaluated in each case. ~~An area in Todds Valley which has recently been rezoned~~ Refer to ~~Residential is subject to~~Chapter 3 Administration for information on the ~~Flood Overlay. This overlay usually applies in the Rural Zone. The Flood Overlay is generally less well defined than the Flood Path Overlay, as a better record~~preparation of ~~floods exist in the urban areas where the Flood Path overlays prevail.~~* *~~Subdivisions have been approved in Todds Valley since 25 October 1996 (the date this resource management plan was first notified). Channel upgrading has been required as part of these subdivisions~~applications and ~~where such work has been undertaken it is unreasonable to require further resource consents to establish buildings.~~* *~~Further work is required in Todds Valley to better define the extent and nature of the flood hazard and to identify channel improvements with the potential to alleviate the flood hazard.~~* *~~Council will consider the use of regional rules to maintain channel capacity and physical works to improve channel capacity or remove channel restrictions such as under capacity culverts. Council will further review the extent~~an outline of the Flood ~~Overlay following consideration~~Areas. Refer to REr.47 - Storage of ~~these measures~~hazardous substances and Appendix 21.*			
REr.83D ***Flood Areas except Flood Paths or Floodways*** *Network utility* ***Permitted*** ***REr.83D.1*** ***In Flood Areas, except any Flood Path or Floodway, a network utility is a permitted activity provided that it is:*** *a. an underground network utility; or* *b. a network utility structure, including additions to an existing structure, up to 10m2 gross floor area (and where involving an*	Support	Parts of the Stoke Substation designation DTP1 are located within Flood Areas (specifically the Flood Hazard and High Flood Hazard Overlay). It is noted that the Flood Area rules will not apply within the designation. Notwithstanding this, Transpower generally supports the permitted activity standards for network utilities, and the restricted discretionary activity status for activities that contravene permitted standards, in Flood Areas. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas.	**Retain as notified.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
addition, cumulatively over a 10 year period from the date of the notification of Plan Amendment no. 29) which does not exacerbate the flood hazard on-site, or upstream or downstream of the site, or *c. maintenance, repair and construction of a private road or accessway in the 1% AEP floodplain that does not impede flood flows or exacerbate the flood hazard to other properties upstream or downstream of the site, or* *d. the construction, operation, maintenance, renewal or repair of a public road network located within the legal road, or the road formation width.* ***Controlled*** ***REr.83D.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.83D.3* *Activities that contravene a permitted condition are restricted discretionary.* *Discretion is restricted to:* *i. the nature of the flood event, including scale, location, and frequency; and* *ii. the functional and/or operational need to locate within the hazard area; and* *iii. the risk of adverse effects to other people, property, infrastructure and the natural environment including:* *a. public health and safety; and* *b. impacts on ecological values and values of significance to tangata whenua and public access associated with the proposed activity, including a need for flood protection works to be required to protect the utility; and* *iv. the level of existing investment (including supporting infrastructure) and ability to readily relocate uses; and* *v. any exacerbation of the hazard as a result of the structure; and* *vi. access in a flood event, including ability to maintain safe ingress and egress; and* *vii. proposed evacuation plans; and* *viii. ability to take an adaptive management approach; and* *ix. any additional risk from coastal flooding; and* *x. stormwater management.*			

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Assessment Criteria ***REr.83D.4*** *Refer to REr.83A.4.* ***Explanation*** *REr.83D.5* *Refer to REr.83A.5.*			
REr.83E ***Flood Areas except Flood Paths or Floodways*** *Earthworks* ***Permitted*** ***REr.83E.1*** *In Flood Areas, except any Flood Path or Floodway, earthworks are a permitted activity provided that the earthwork:* *a. is not more than 3m3 in each calendar year of cleanfill material per site; and* *b. has a maximum cumulative volume of filling and excavation of 25m3 per site, within any continuous period of 10 calendar years.* ***Controlled*** ***REr.83E.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.83E.3* *Activities that contravene a permitted condition are restricted discretionary.* *Discretion is restricted to:* *i. the nature of the flood event, including scale, location and frequency; and* *ii. the displacement of flood waters beyond the site, exacerbation of the flood hazard and impact on the conveyance function of the flood plain; and* *iii. the nature of the activity associated with the earthworks to be located on any filled areas; and* *iv. mitigation measures to address risk from the flood hazard; and* *v. any additional risk from coastal flooding; and* *vi. stormwater management; and*	Support	Parts of the Stoke Substation designation DTP1 are located within Flood Areas (specifically the Flood Hazard and High Flood Hazard Overlay). It is noted that the Flood Area rules will not apply within the designation. Notwithstanding this, Transpower generally supports the permitted activity standards for earthworks, and the restricted discretionary activity status for activities that contravene permitted standards, in Flood Areas. Coupled with the policy framework, the rule provides a robust but pragmatic framework in which to consider infrastructure in hazard areas.	**Retain as notified.**

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vii. any adverse effects of the works on the function and flood carrying capacity of natural systems. ***Assessment Criteria*** *REr.83E.4* *Refer to REr.83A.4.* ***Explanation*** *REr.83E.5* *Refer to REr.83A.5.*			
REr.83F ***Flood Areas except Flood Paths and Floodways*** *Flood mitigation and protection works* ***Permitted*** *REr.83F.1* *In Flood Areas, except any Flood Path or Floodway, the operation, maintenance, renewal, repair or minor infrastructure upgrade of existing land drainage works, stormwater management devices or flood mitigation works undertaken by a network utility operator is a permitted activity.* ***Controlled*** ***REr.83F.2*** *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.83F.3* *Activities that contravene a permitted condition are restricted discretionary.* *Discretion is restricted to:* *i. the nature of the flood event including scale, location and frequency; and* *ii. the function of the device including the design in relation to the river and coastal flood hazards; and* *iii. the potential mobilisation of accumulated contaminants; and* *iv. the adverse effects of the works on the function of natural systems, landscape values ecological values and amenity values; and* *iv. social and economic effects including positive effects; and* *v. transfer of risk to adjoining sites, and residual risk; and* *vi. stormwater management.*	Support	Parts of the Stoke Substation designation DTP1 are located within Flood Areas (specifically the Flood Hazard and High Flood Hazard Overlay). It is noted that the Flood Area rules will not apply within the designation. Notwithstanding this, Transpower supports providing for network utilities to undertake flood mitigation works as a permitted activity.	**Retain as notified.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
Assessment Criteria *REr.83F.4* *Refer to REr.83A.4.* ***Explanation*** *REr.83F.5* *Refer to REr.83A.5.* *As flood mitigation and protection works can have a substantial effect on the natural environment hydrological processes, and infrastructure, new-works are restricted discretionary activities.*			
REr.117 ***National Grid Corridor*** *Subdivision* ***Permitted*** *REr.117.1* *Subdivision is not a permitted activity.* ***Controlled*** *REr.117.2* *not applicable* ***Discretionary/Non-complying/Prohibited*** ***REr.117.3*** *Subdivision within the National Grid Corridor, other than subdivision to provide for a network utility, is a restricted discretionary activity, provided that all allotments identify a building platform for any residential unit that is outside the National Grid Corridor.* *Discretion is restricted to:* *i. impacts on the operation, maintenance, upgrade and development to comply with NZECP 34:2001; and* *ii. technical details of the characteristics and risk on and from National Grid infrastructure; and* *iii. location, design and use of the proposed building platform or structure as it relates to the National Grid transmission line; and* *iv. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.* *REr.117.4*	Amend	Transpower generally supports the new rule for subdivision within the National Grid Subdivision Corridor. The restricted discretionary activity status for subdivision, with non-complying activity status for subdivision that breaches restricted discretionary activity standards is supported on the basis that it gives effect to policies 10 and 11 of the NPSET. It is also consistent with the approach adopted across other district plans throughout New Zealand. The rule also recognises that the subdivision stage is the most appropriate time within which to ensure new development is well planned in relation to the National Grid. Notwithstanding this, Transpower seeks several amendments to the rule, specifically: • All references to the "National Grid Corridor" should be replaced with "National Grid Subdivision Corridor". See also Transpower's submission on the definition of "National Grid Corridor". • References to "residential unit" should be replaced with "sensitive activity" to recognise that subdivision could be for a range of sensitive activities (not just residential activities); • Amendment to the standard i. to require subdivisions to be able to demonstrate the ability for compliance as opposed to specifically identifying a building platform. • Insertion of a new standard ii. requiring existing vehicle access be maintained. This is to ensure the subdivision does not comprise the ability for	**Amend as follows:** ***REr.117*** ***National Grid Subdivision Corridor*** *Subdivision* ***Permitted*** *REr.117.1* *Subdivision is not a permitted activity.* ***Controlled*** *REr.117.2* *not applicable* ***Discretionary/Non-complying/Prohibited*** *REr.117.3* *Subdivision within the National Grid Subdivision Corridor~~, other than subdivision to provide for a network utility,~~ is a restricted discretionary activity, provided that:* *i. all resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate ~~identify~~ a building platform for the likely ~~any residential unit~~ principal building(s) and any dwelling or sensitive activity located entirely ~~that is~~ outside the National Grid ~~Corridor~~ Yard.* *ii. existing vehicle access to National Grid assets is maintained.* *Discretion is restricted to:*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
Subdivision within the National Grid Corridor, other than subdivision to provide for a network utility, that contravenes a restricted discretionary activity is a non-complying activity. ***Assessment Criteria*** *REr.117.5* *a. any potential or cumulative effects on health of persons from exposure to electro-magnetic fields from existing facilities in the area.* *b. any effects to and from structures and lines including noise, visual impact and physical risk.* *c. access to the structures and lines.* ***Explanation*** *A limited number of high voltage transmission lines traverse the Residential Zone. These locations are shown on the Planning Maps. A separation distance between lines and housing is appropriate for a range of reasons including physical aspects and possible long term health exposure risks which may affect some people living in close proximity to major lines. This reflects a precautionary approach to electromagnetic fields and other effects of major overhead transmission lines. The rule provides an opportunity for evaluation of such effects when subdivision is proposed in proximity to these lines (see also REr.51 for new buildings).*		Transpower to access its assets, specifically support structures. • Amendments to matters of discretion (i) under REr.117.3 are necessary to better recognise the purpose of NZECP 34:2001; • Amendments to (iii) under REr.117.3 to clarify the effects to be addressed; • The addition of new matters of discretion (v), (vi), (vii), (viii) and (viiii) under REr.117.3 to identify further matters which are critical considerations as part of mitigating the potential adverse effects of subdivision on the National Grid. Such provisions will ensure Transpower is consulted on the proposed subdivision prior to lodging the resource consent. This will assist developers with understanding the constraints that the National Grid places on the design and arrangement of subdivision proposals. • Under the Assessment Criteria heading, deletion of the assessment criteria REr.117.5, as they do not assist with plan interpretation or application. While the intent of such provisions may be to direct decision-makers to make sure it takes into account key policy directions, the criteria are considered not necessary within context of a non-complying rule framework. The provision of assessment criteria arguably constrains the assessment and is not standard practice for a non-complying activity. • Under the Explanation heading, a range of amendments are necessary to ensure that the National Grid is appropriately described and that the purpose of the rule, which is to mitigate the potential adverse effects of subdivision on the National Grid, is clearly communicated. • A notification clause is inserted to ensure Transpower is involved and notified of any consent applications. This is particularly important given the technical considerations in developing within the National Grid Yard. The clause reflects that notified within the National Grid Yard rule REr51.3.	*i. ~~impacts on the operation, maintenance, upgrade and development to comply with~~ whether the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001; and* *ii. technical details of the characteristics and risk on and from National Grid infrastructure; and* *iii. the extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid asset;* *~~location, design and use of the proposed building platform or structure as it relates to the National Grid transmission lines and support structures; and~~* *iv. the risk of electrical hazards affecting public or individual safety, and the risk of property damage;* *v. the extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines;* *vi. the provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading;* *vii. the nature and location of any proposed vegetation to be planted in the vicinity of National Grid assets, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;* *viii. the outcome of any consultation with Transpower; and* *viiii. the risk to the structural integrity of the National Grid.* *REr.117.4*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
			Subdivision within the National Grid Subdivison Corridor, ~~other than subdivision to provide for a network utility,~~ that contravenes a restricted discretionary activity is a non-complying activity. ***Assessment Criteria*** REr.117.5 ~~a. any potential or cumulative effects on health of persons from exposure to electro-magnetic fields from existing facilities in the area.~~ ~~b. any effects to and from structures and lines including noise, visual impact and physical risk.~~ ~~c. access to the structures and lines.~~ ***Explanation*** ~~A limited number of high voltage transmission lines traverse~~ The National Grid traverses parts of the Residential Zone. These locations are shown on the Planning Maps. A separation distance between lines, support structures, and ~~housing~~ sensitive activites ~~is appropriate for a range of reasons including physical aspects and possible long term health exposure risks which may affect some people living in close proximity to major lines. This reflects a precautionary approach to electromagnetic fields and other effects of major overhead transmission lines. This also~~ recognises that the safe and efficient operation, maintenance, repair, upgrading, removal or development of the National Grid must not be compromised by the potential adverse effects created by sensitive activities, new development and the subdivision of land near the National Grid. The rule provides an opportunity for evaluation of such effects when subdivision is proposed in proximity to ~~these lines~~ the National Grid (see also REr.51 for new buildings). Notification: Any application under rules REr.117.3 and

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
			REr.117.4 will not be publicly or limited notified except that limited notification must be only to Transpower New Zealand Limited (unless Transpower New Zealand Limited provided its written approval).
Sch.AA Papakāinga development - General, Medium and High Density Residential zones			
AA.3 Permitted Activity *Papakāinga development on land held under Te Ture Whenua Māori Act 1993 and on general title land is permitted if:* *a. on general title land: the land is owned by a member, or members of, Ngāti Kuia, Rangitāne, Ngāti Apa ki Te Rā Tō, Ngāti Koata, Ngāti Rārua, Ngāti Toa Rangatira, Ngāti Tama or Te Ātiawa, who can demonstrate their whakapapa or ancestral connection to the land; and* *b. the gross floor area of all commercial activities does not exceed the lesser of 20% of the area of the subject site, or 500m2; and* *c. buildings and structures comply with the following rules:* *i. REr.36A Building over or alongside drains and water mains; and* *ii. REr.37 Activities near the coast; and* *iii. REr.41 Signs; and* *iv. REr.43 Noise; and* *v. REr.45 Vibration; and* *vi. REr.46 Light spill; and* *vii. REr.47 hazardous substances — use and storage; and* *viii. REr.48 Radioactive material; and* *ix. REr.49 Aerials; and* *x. REr.51 Buildings near transmission lines; and* *xi. REr.56 Network Utility - Roads; and* *xii. REr.58 Building on low lying sites. and* *d. in the General Residential Zone:* *i. REr.17D Front yards; and* *ii. REr.17E Other yards; and* *iii. REr.17J Maximum building height; and* *iv. REr.17K Daylight admission.* *e. in the Medium Density Residential Zone:* *v. REr.18D Front yards; and* *vi. REr.18E Other yards; and* *vii. REr.18J Maximum building height; and* *viii. REr.18K Daylight admission; and*	Support	Transpower supports the permitted activity rule for papakāinga on the basis that it requires papakāinga to comply with rule REr.51 (Buildings near National Grid transmission lines).	**Retain as notified.**

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
ix. REr.18T Buildings adjoining a historic heritage precinct or scheduled building. *f. in the High Density Residential Zone:* *vi. REr.19D Front yards; and* *vii. REr.19E Other yards; and* *viii. REr.19J Maximum building height; and* *ix. REr.19K Daylight admission; and* *x. REr.19T Buildings adjoining a historic heritage precinct or scheduled building.*			
AA.4 Restricted discretionary activity *Papakāinga development on land held under Te Ture Whenua Māori Act 1993 or on general title land that contravenes permitted activity condition b. or c. is a restricted discretionary activity.* *Discretion is restricted to:* *a. where condition b. is not met, consideration of the effects, including cumulative, of the GFA of commercial activities on the site, and measures to avoid, remedy or mitigate any adverse effects;* *and* *b. where condition c. is not met, for any rule that is not complied with, the assessment criteria for that rule will apply; and* *c. the matters in the Nelson Tasman Land Development Manual 2020.* *Resource consent for a restricted discretionary activity under this rule will be considered without public notification.*	Amend	While Transpower supports the development of papakāinga, it is not appropriate that papakāinga development that breaches permitted activity standards under rule REr.51 (which relates to development in the National Grid Yard) is provided for as a restricted discretionary activity. This does not give effect to policy 10 or 11 of the NPSET, or objective DO14.4 of the NRMP. Papakāinga development is likely to include activities that are sensitive to the National Grid. Because of this, it is appropriate that papakāinga development that breaches permitted activity conditions under rule REr.51 is treated in the same way as other activities that breach permitted activity conditions in relation to the National Grid Yard (that is, as a non-complying activity). The amendments sought by Transpower to the papakāinga rules provide for this.	**Amend as follows:** ***AA.4 Restricted discretionary activity*** *Papakāinga development on land held under Te Ture Whenua Māori Act 1993 or on general title land that contravenes permitted activity condition b. or c. (except for condition c.x.) is a restricted discretionary activity.* *Discretion is restricted to:* *a. where condition b. is not met, consideration of the effects, including cumulative, of the GFA of commercial activities on the site, and measures to avoid, remedy or mitigate any adverse effects;* *and* *b. where condition c. is not met, for any rule that is not complied with, the assessment criteria for that rule will apply; and* *c. the matters in the Nelson Tasman Land Development Manual 2020.* *Resource consent for a restricted discretionary activity under this rule will be considered without public notification.* ... ***AA.5A Non-complying activity*** *Papakāinga development that does not comply with permitted activity conditions under rule REr.51 is a non-complying activity.*

Specific Plan Change Provision	Support/ Oppose/ Amend	Submission	Relief sought
			Any application under this rule will not be publicly or limited notified except that limited notification must be only to Transpower New Zealand Limited (unless Transpower New Zealand Limited provided its written approval).
Planning Maps			
Spatial extent of zones proposed by PC29.	Support	Transpower supports the spatial extent of the zones proposed by PC29 as notified. In particular, Transpower supports that rural land located around the National Grid has not been rezoned to urban land under PC29.	**Retain the spatial extent of the zones proposed by PC29 as notified.**
Spatial extent of natural hazard overlays proposed by PC29.	Support	Transpower supports the spatial extent of the natural hazard overlays proposed by PC29 as notified. The identification of natural hazard overlays in the planning maps provides users of the Resource Management Plan with certainty about the location and extent of the application of the proposed natural hazard rules.	**Retain the spatial extent of natural hazard overlays proposed by PC29 as notified.**
Description of "Electrical Transmission Lines" in the legend to the planning maps: **Electrical Transmission Lines** 33kV ETL 66kV ETL 110kV ETL 220kV ETL	Amend	It is currently unclear from the planning maps which electrical transmission lines are associated with the National Grid. Transpower also seeks that electrical transmission lines (that is, the National Grid), are separately described to electrical distribution lines (that distribute electricity between the National grid and end-users). Transmission lines (the National Grid) are subject to the provisions of the NPSET and the NESETA, whereas the distribution lines are not. The amendments sought to the description of these lines in the legend will provide greater certainty and improve interpretation and usability of the planning maps for plan users.	**Amend the description of "Electrical Transmission Lines" in the planning maps as follows:** *Electrical ~~Transmission~~ Distribution Lines* *33kV ETL* *66kV ETL* ***National Grid ~~Electrical~~ Transmission Lines*** *110kV National Grid ~~ETL~~* *220kV National Grid ~~ETL~~*

Appendix B – National Grid assets within Nelson City

Transpower Assets

Nelson City

Legend

Territorial Land Authority
- Boundary

NZ Roads
- Highways

Transpower Assets
- Cable Protection Zone
- Overhead Fibre Cable
- Underground Fibre Cables

Site
- ACSTN
- COMMS
- HVDC
- TEE

Transmission Line
- 0kV Overhead
- 11, 66kV Underground
- 11, 33, 66 kV Overhead
- 110kV Underground
- 110 kV Overhead
- 220kV Underground
- 220 kV Overhead
- 350 kV Overhead
- 350kV Submarine
- 400kV Overhead





TRANSPOWER

Projection: NZTN 2000 Scale: 1:150,000 Plan Size: A3L

0 1,000 2,000 km

External Disclaimer

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Date: 6/07/2020 Drawn by: hamjamsam

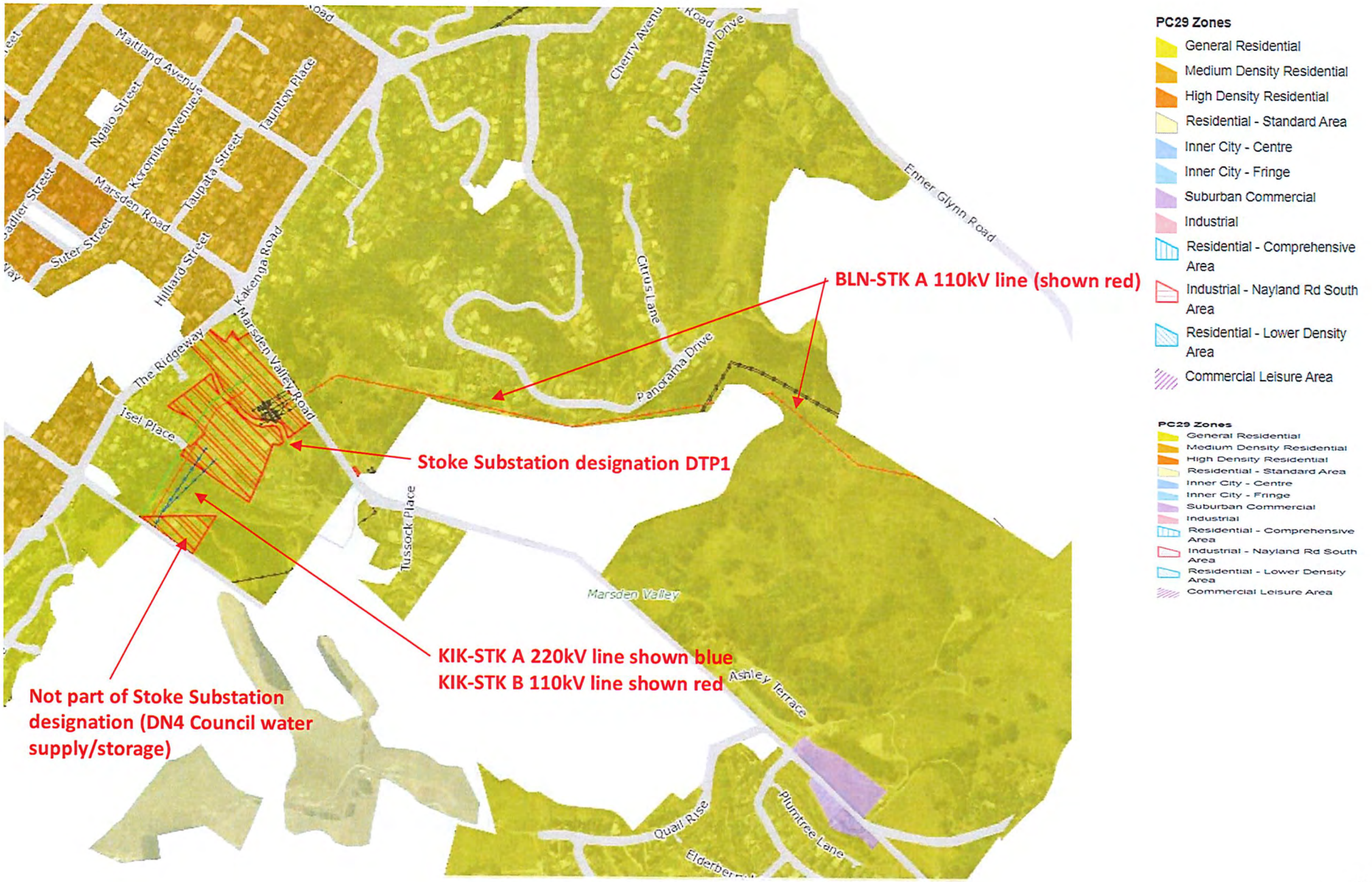
Appendix C – National Grid assets within the PC29 area



Appendix C – National Grid assets within the Brook Street area



Appendix C – National Grid assets within the Stoke Substation/Marsden Valley area



Appendix C – National Grid assets within the Ngawhatu valley area



PC29 Zones
General Residential
Medium Density Residential
High Density Residential
Residential - Standard Area
Inner City - Centre
Inner City - Fringe
Suburban Commercial
Industrial
Residential - Comprehensive Area
Industrial - Nayland Rd South Area
Residential - Lower Density Area
Commercial Leisure Area

Appendix D – National Policy Statement on Electricity Transmission 2008

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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Preamble

1. Title
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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

Preamble

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

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

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

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

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

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

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

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

1. Title

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

2. Commencement

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

3. Interpretation

In this national policy statement, unless the context otherwise requires:
Act means the Resource Management Act 1991.

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

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

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

National grid means the assets used or owned by Transpower NZ Limited.
Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

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

5. Objective

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

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

6. Recognition of the national benefits of transmission

POLICY 1
In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

i) maintained or improved security of supply of electricity; or

ii) efficient transfer of energy through a reduction of transmission losses; or

iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or

iv) enhanced supply of electricity through the removal of points of congestion.

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

7. Managing the environmental effects of transmission

POLICY 2
In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

POLICY 3
When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

POLICY 4
When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

POLICY 5
When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

POLICY 6
Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

POLICY 7
Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

POLICY 8
In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

POLICY 9
Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ioninsing 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.