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9 May 2025

Attention: Hearings Administrator, Fiona Hardie
via email: districtplan@mackenzie.govt.nz

Mackenzie District Plan Review – Stage Four: Proposed Plan Changes 28-30 and Designations

Transpower New Zealand Limited (“Transpower”) writes in relation to the hearing of submissions on the Mackenzie District Plan Review Stage Four, Proposed Plan Changes 28-30 and the Designations Chapter (“the Plan Changes”) commencing on 26 May 2025.

Transpower has reviewed the following reports, dated 24 April 2025, prepared under section 42A of the Resource Management Act 1991 (“Officer’s Report”):

- ‘Officer’s Section 42A Report Plan Change 28: Hazards and Risks, Historic Heritage and Notable Trees, and Variations ;
- ‘Officer’s Section 42A Report Plan Change 29: Open Space and Recreation Zones, Noise, Signs and Temporary Activities, and Variations; and
- ‘Officer’s Section 42A Report: Designations.

Transpower agrees with the recommendations in the Officers’ Reports listed above that are relevant to Transpower’s submissions. On this basis, Transpower has elected not to be heard or to file evidence in relation the parts of its submissions that are being considered at the hearings. Instead, it records its position, including reasons, in respect of the relevant submission points in the table included as **Attachment A** to this letter.

Transpower requests that this letter, including Attachment A, be provided to the Hearings Panel in order to confirm its position in relation to the relevant submission points and the Officers’ Report recommendations. Transpower is available to respond to any questions the Hearings Panel may have in relation to its submissions and the position reflected in the attached.

Should the Hearings Panel have any questions or require clarification of any matter, please contact Rebecca Eng at environment.policy@transpower.co.nz or 09 590 7072.

Yours faithfully

Rebecca Eng
Technical Lead – Environmental Policy
TRANSPOWER NEW ZEALAND LIMITED

Attachment A: Transpower's position in relation to the recommendations made in the Officers' Reports for Hearing 10

The following table sets out the relief sought in Transpower's submission alongside the recommendations in the Officers' Reports and Transpower's position in relation to the Officers' Report recommendations. The relief sought by Transpower in submissions is shown in red underline and ~~red strikethrough~~. Amendments either sought in the primary submission made by other parties or recommended in the Officers' Reports are shown in black underline and ~~black strikethrough~~.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
PLAN CHANGE 28 – HAZARDS AND RISKS, HISTORIC HERITAGE AND NOTABLE TREES, AND VARIATIONS				
Definitions				
31.01	'Critical infrastructure (in relation to Natural Hazards Chapter only)'	<p>Support</p> <p>Retain the definition of critical infrastructure (in relation to Natural Hazards Chapter only)' as notified.</p> <p>Transpower supports the definition of 'critical infrastructure' to the extent that the definition is consistent with the CRPS and includes reference to the National Grid.</p>	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends amendments to the definition in response to other submissions as follows:</p> <p><i><u>"Those necessary facilities, services, and installations and infrastructure which are critical or of significance to either New Zealand, Canterbury, or Mackenzie, which if interrupted, would have a significant effect on communities within the District, Canterbury region or wider populations and which would require immediate reinstatement. Critical infrastructure includes:</u></i></p> <p><i><u>a. Strategic transport network</u></i></p> <p><i><u>b. Telecommunication and Radio communications networks</u></i></p> <p><i><u>c. National, regional and local electricity generation activities</u></i></p> <p><i><u>d. The National Grid and electricity distribution networks including emergency electricity supply facilities</u></i></p> <p><i><u>e. Public and community wastewater collection, treatment and disposal networks</u></i></p> <p><i><u>f. Public and community land drainage infrastructure</u></i></p>	Transpower accepts the recommended amendments as being appropriate and consistent with Transpower's relief insofar as the amendments are relevant to the National Grid.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
			<u>g. Public and community stormwater infrastructure</u> <u>h. Public and community potable water and fire fighting supply systems</u> <u>i. Public and community-scale irrigation and stockwater infrastructure</u> <u>j. Gas storage and distribution infrastructure</u> <u>k. Bulk fuel supply infrastructure including terminals, and pipelines</u> <u>l. Permanent New Zealand Defence Force facilities buildings and structures (excluding temporary buildings and structures used for temporary military training activities)</u> <u>m. Emergency Services facilities</u> <u>n. Healthcare facilities</u> <u>o. Airports"</u>	
31.02	'natural hazard sensitive building'	Support Retain the definition of 'natural hazard sensitive building' as notified. Transpower supports the definition of 'natural hazard sensitive building' on the basis that the definition excludes 'infrastructure' in a manner that is appropriate to the design, nature and role of that infrastructure.	The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that the definition is retained as follows: <i>"76. I recommend, for the reasons given above, that the definition for 'natural hazard sensitive building' is retained as notified."</i>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
Contaminated Land				
31.03	Whole Chapter	Support Retain the Contaminated Land Chapter as notified. Transpower supports the approach taken to regulating the subdivision, use or development of contaminated land or potentially contaminated land through reliance on the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. Transpower considers that this approach avoids unnecessary duplication and as such is efficient and effective.	The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends an amendment in response to a submission by CRC described as follows: <i>"83. I recommend, for the reasons given above, that the Introduction statement of the CL Chapter is amended to include the additional words alerting plan users to the possible requirement for a consent from CRC, to assist with environmental management</i>	Transpower accepts the recommendation for the reasons given in Transpower's submission. The recommended amendments are not material to Transpower's relief.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
			<i>associated with contaminated land undertaken by other authorities."</i>	
Hazardous Substances				
31.04	Policies HAZS-P1 Storage and Use of Hazardous Substances	<p>Support</p> <p>Retain Policy HAZS-P1 as notified.</p> <p>Transpower supports Policy HAZS-P1 in the basis that the Policy directs the management of residual risk related to activities involving the use and storage of hazardous substances, as opposed to regulating the activity. Transpower considers that this approach appropriately manages the potential effects of the use of hazardous substances and implements Objective HAZS-O1.</p>	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that the policy is retained as notified and comments as follows:</p> <p><i>"41. The following provisions included within PC28 Part A, V1PC26 and V1PC27 were either not submitted on, or any submissions received sought their retention. As such, they are not assessed further in this report, and I recommend that the provisions are retained as notified (unless a cl 10(2)(b) or cl 16(2) change is recommended)."</i></p> <p>That said, the Report goes on to recommend that the submission be accepted in part as a result of amendments recommended to the HAZS provisions in response to other submissions.</p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
Natural Hazards				
31.05	Objective NH-O1 Risk from Natural hazards	<p>Support in part</p> <p>Amend Objective NH-O1 as follows:</p> <p>"NH-O1 Risk from Natural hazards</p> <p><i>New subdivision, land use and development:</i></p> <ol style="list-style-type: none"> <i>is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable <u>except where the National Grid has a functional need or operational need for its location and the risks from natural hazards are appropriately managed</u>; and</i> <i>in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are avoided or appropriately mitigated."</i> 	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 addresses Transpower's submission as follows:</p> <p><i>"153. I agree with Meridian (39.08) and Transpower (31.05) that requiring critical infrastructure to avoid areas of high natural hazard risk is more stringent than the direction for managing effects in the NPSET (which does not include policy direction specifically relating to natural hazard resilience) and the CRPS. CRPS policy 11.3.4 states:</i></p> <p><i>New critical infrastructure will be located outside high hazard areas unless there is no reasonable alternative. In relation to all areas, critical infrastructure must be</i></p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report (subject to the recommended amendments to Objective NH-O2 as outlined in the next row).

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		Transpower generally supports Objective NH-O1 but, insofar as the Objective relates to the National Grid, is concerned that the outcome described by clause (1) is not sufficiently clear or certain. That is, the Objective directs that new National Grid assets avoid areas where risks are assessed as unacceptable. The linear nature of the National Grid, along with its operational and functional needs, means that avoiding areas is not always possible. Requiring 'avoidance' is more stringent than the direction for the management of effects in the NPSET and as such, does not give effect to the NPSET. Transpower considers that, for the National Grid, it is more appropriate that natural hazard risks are managed, rather than areas avoided.	designed to maintain, as far as practicable, its integrity and function during natural hazard events. 154. I also agree with the submissions by Meridian (39.08) and Transpower (31.05) that NH-O1 does not adequately recognise the constraints that can determine where critical infrastructure, including the National Grid infrastructure, need to be located. After considering all of the submissions on NH-O1 and NH-O2, I consider that amending NH-O2 so that it provides a complete objective for managing new critical infrastructure is the most appropriate approach. This requires excluding NH-O1 from applying to critical infrastructure and instead amending NH-O2 to make this the sole objective for managing critical infrastructure. Therefore, I recommend that Meridian's submissions (39.08), which sought that critical infrastructure is excluded from NH-O1 is accepted and that Transpower's submission (31.05) is accepted in part. I discuss other changes that I consider to be necessary to NH-O2, in response to other submissions, below.	
31.06	Objective NH-O2 Critical Infrastructure and Specific Buildings in Natural Hazard Overlays	Support Retain Objective NH-O2(1) as notified. Transpower supports Objective NH-O2 on the basis that clause (1) appropriately provides for critical infrastructure in Natural Hazard Overlays where that infrastructure is resilient to the effects of natural hazards. Transpower considers that the Objective appropriately acknowledges that characteristics of infrastructure, including its functional needs and operational needs, and the ability to design infrastructure to manage risks.	The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends substantial amendments to the Objective as follows: <i>"NH-O2 Critical Infrastructure, Major Hazard Facilities and Specific Buildings in Natural Hazard Overlays</i> <i>1. Critical infrastructure is <u>not located in areas of high natural hazard risk unless there is a functional need or operational need to be at the location;</u></i> <i>2. If there is a functional need or operational need to be within areas of high natural hazard risk the critical infrastructure must be and designed to be as resilient to the effects of natural hazards as possible, while achieving the objectives of the critical infrastructure;</i>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
			<p><i>3. New critical infrastructure avoids increasing the risks of natural hazards to people, property and infrastructure or, where avoidance is not practicable, mitigation measures minimise such risks; and</i></p> <p><i>2 4. Major hazard facilities, <u>healthcare facilities, emergency services facilities</u>, education facilities or visitor accommodation activities avoid locating in areas of high natural hazard risk associated with surface fault rupture where the effects on occupants and neighbours are assessed as being unacceptable."</i></p>	
31.07	Policy NH-P4 Flood Hazards	<p>Support in part</p> <p>Amend Policy NH-P4 as follows:</p> <p>"NH-P4 Flood Hazards</p> <p><i>Within the Flood Hazard Assessment Overlay Area (except High Flood Hazard Areas) enable:</i></p> <ol style="list-style-type: none"> <i>1. <u>enable</u> new non critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non critical infrastructure where the infrastructure does not increase flood risk on another site; and</i> <i>2. <u>enable</u> the operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on another site;</i> <i>x. <u>provide for new National Grid assets where there is an operational need or functional need to locate in that environment and where the assets do not increase flood risk on another site;</u> and</i> <i>3. <u>enable</u> any other new subdivision, use and development only where every new natural hazard sensitive building has an appropriate floor level above the 500 year ARI design flood level."</i> <p>Transpower supports clause (2) of Policy NH-P4 to the extent that the Policy provides for the operation, maintenance, repair, replacement, upgrading of critical infrastructure in the Flood Hazard Assessment Overlay Area. However, Transpower considers that the Policy fails to provide a policy</p>	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that Transpower's submission be accepted in part as follows:</p> <p><i>"192. I agree with Nova (56.05) and Transpower (31.07) that policy NH-P4 fails to provide a clear policy pathway for new critical infrastructure in the Flood Hazard Assessment Overlay, and that this policy pathway is required. I agree that the linear nature of the National Grid and other lines infrastructure means that it is not possible for the National Grid to avoid locating in areas vulnerable to natural hazard. It is not the intention of NH-P4 to restrict the development of critical infrastructure in the Flood Hazard Assessment Overlay (where it is not a High Flood Hazard Area). I consider that amending the policy to provide a pathway for new critical infrastructure where it is within the Flood Hazard Assessment Overlay will give effect to CRPS Policy 11.2.3 and is the most appropriate way to achieve NH-O2. I prefer the wording suggested by Nova and I therefore recommend that Nova's submission (56.05) is accepted and Transpower's submission (31.07) is accepted in part."</i></p> <p>The recommended amendment to the Policy is as follows:</p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		<p>pathway for new critical infrastructure in the Flood Hazard Assessment Overlay Area (as is the case for High Flood Hazard Areas in Policy NH-P5). The linear nature of the National Grid, along with its operational and functional needs, means that it is not possible for the National Grid to avoid locating in areas vulnerable to natural hazards. For instance, the National Grid must traverse rivers that generally run west to east in order to transmit electricity from south to north. Transpower considers it is necessary to provide a policy pathway to provide for new assets to transmit electricity through areas susceptible to natural hazards, including the Flood Hazard Assessment Overlay Area, in order to recognise the characteristics, and national significance, of the National Grid and to give effect to the enabling provisions of the NPSET.</p>	<p><i>"Within the Flood Hazard Assessment Overlay Area (except High Flood Hazard Areas), enable:</i></p> <ol style="list-style-type: none"> <i>1. new non critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non critical infrastructure where the infrastructure does not increase flood risk on another site <u>or property</u>;</i> <i>2. the <u>development</u>, operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on another site <u>or property</u>; and</i> <i>3. any other new subdivision, use and development only where every new natural hazard sensitive building has an appropriate floor level above the 500 year ARI design flood level."</i> 	
31.08	Policy NH-P5 High Flood Hazard Area	<p>Support in part</p> <p>Amend Policy NH-P5 as follows:</p> <p>"NH-P5 High Flood Hazard Area</p> <p>Within any High Flood Hazard Area avoid any:</p> <p><u>x. enable the operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on surrounding properties;</u></p> <ol style="list-style-type: none"> <u>1. avoid any</u> extensions to existing natural hazard sensitive buildings unless: <ol style="list-style-type: none"> minimum floor levels, as determined by a Flood Hazard Assessment are incorporated into the design of the development to ensure buildings are located above the flood level so that the risk to life and potential for property damage from flooding is mitigated; the risk to surrounding properties is not significantly increased; and the development is not likely to require new or upgraded public natural hazard mitigation works to be undertaken by a local authority. 	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that Transpower's submission be accepted in part as follows:</p> <p><i>"194. Transpower's (31.08) and NZTA's (45.03) submissions on NH-P5 seek amendments to provide a policy pathway for the operation, maintenance, repair, replacement, and upgrading of critical infrastructure, where these activities do not increase flood risk on another site. The operation, maintenance, repair, replacement, upgrading of critical infrastructure is provided for as a permitted activity within the Flood Hazard Assessment Overlay provided the activity does not raise the ground level (rule NH-R3). This rule applies to areas that are High Flood Hazard Areas, which will also be in the Flood Hazard Assessment Overlay. I agree that, for works on existing critical infrastructure where the ground level is raised, then a resource consent is required. In this situation, determining whether or not the site is a High Flood Hazard Area is likely to be required in order to assess</i></p>	<p>Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.</p>

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		<p>2. <u>avoid any</u> subdivision and new natural hazard sensitive buildings unless it is:</p> <ul style="list-style-type: none"> a. not likely to result in loss of life or serious injuries; and b. not likely to suffer significant damage or loss; and c. not likely to require new or upgraded public natural hazard mitigation works to be undertaken by a local authority to mitigate or avoid the natural hazard; and d. not likely to exacerbate the effects of the natural hazard. <p>3. <u>avoid any</u> subdivision unless it is:</p> <ul style="list-style-type: none"> a. managed to ensure land use enabled by subdivision does not result in an unacceptable risk to people and property that cannot be mitigated to an acceptable level. <p>4. <u>avoid any</u> new critical infrastructure unless:</p> <ul style="list-style-type: none"> a. there is a functional need or operational need to locate in that environment; and b. the infrastructure is designed to be resilient to flood hazard as far as is practicable; and c. the infrastructure is designed so as not to increase flood risk to people and property." <p>Transpower supports Policy NH-P5 on the basis that the Policy appropriately provides a policy 'pathway' for new critical infrastructure in a High Flood Hazard Area in a manner that recognises the characteristics of such infrastructure (including its locational requirements and the ability for design to mitigate risk). That said, the Policy fails to include policy direction for the operation, maintenance, repair, replacement, upgrading of critical infrastructure in the same manner as Policy NH-P4. Transpower therefore seeks amendments to the Policy to achieve this and, insofar as it relates to the National Grid, give effect to Policies 1, 2 and 5 of the NPSET.</p> 	<p>the effects of the proposal. I agree that providing additional policy guidance for operation, maintenance, repair, replacement, and upgrading of critical infrastructure where the site is a High Flood Hazard Area would be helpful. I therefore recommend that NZTA's (45.03) and Transpower's (31.08) submissions are accepted in part via a new recommended policy in the NH Chapter10, as I consider this change be the most appropriate way to achieve objectives NH-O2."</p> <p>The recommended new Policy is as follows:</p> <p><u>"NH-PX Critical Infrastructure in High Flood Hazard Area</u></p> <p><u>Enable the operation, maintenance, repair, replacement and upgrading of critical infrastructure within High Flood Hazard Areas where the infrastructure does not increase flood risk on surrounding properties."</u></p>	

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
31.09	Policy NH-P7 Fault Hazard and NH-P8 Fault Hazard Risk to Critical Infrastructure and Specific Buildings	<p>Support in part</p> <p>Amend Policy NH-P7 as follows:</p> <p><i>"NH-P7 Fault Hazard</i></p> <p><i>Subdivision, land use and development <u>other than critical infrastructure</u> is:</i></p> <ol style="list-style-type: none"> <i>managed in the Fault Hazard (Subdivision) Overlay to ensure land use enabled by subdivision does not result in an unacceptable risk to people and property; and</i> <i>avoided in the Ostler Fault Hazard Area Overlay if the subdivision, use or development increases risks associated with the surface fault rupture that cannot be mitigated to an acceptable level."</i> <p><i>"NH-P8 Fault Hazard Risk to Critical Infrastructure and Specific Buildings</i></p> <ol style="list-style-type: none"> <i>Critical Infrastructure only locate within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> <i>there is a functional need or operational need to locate in that environment; and</i> <i>the infrastructure is designed to be resilient to surface fault rupture hazard as far as is practicable.</i> Critical infrastructure, m<i>Major hazard facilities, education facilities or visitor accommodation activities only locate within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> <i>the building can be designed to manage the risks to people and property, and buildings on adjoining sites, to an acceptable level."</i> <p>Transpower generally supports Policies NH-P7 and NH-P8 but considers that the provisions do not provide clear direction in respect of the management of flood hazard risk for critical infrastructure. Transpower seeks minor refinements to the Policies so that the appropriate policy direction is clear.</p>	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that Transpower's submission be accepted in part as follows:</p> <p><i>"198. Transpower' submission (31.09) on NH-P7 and NH-P8 seeks greater clarification about which policy is relevant to the consideration of critical infrastructure, and seeks that critical infrastructure is excluded from NH-P7, which would direct plan users to policy NH-P8. The matters contained in NH-P8(1) are specifically relevant to the management of critical infrastructure within the Fault Hazard (Critical Infrastructure) Overlay. This is the intention of these policies, and therefore I agree that additional clarification would assist to clarify which policy is relevant to the consideration of critical infrastructure. I consider that this amendment will improve the efficient implementation of the MDP, and therefore I recommend that this submission (31.09) is accepted in part. My recommended amendment is to include the words "except as provided or by policy NH-P8" to make it clear that this is the policy that manages critical infrastructure in relation to fault hazard risk.</i></p> <p><i>199. I do not agree with Transpower's (31.09) submission on NH-P8, which seeks to delete 'critical infrastructure' from clause 2 of this policy. Clause 2 relates to buildings that accommodate groups of people as well as buildings required for critical infrastructure. It requires that buildings are designed to manage the risks to people and property, and buildings on adjoining sites, to an acceptable level. If critical infrastructure is required to establish a building where people operating the critical infrastructure are located, then I consider it is important that the building is designed to manage the risks to people and property, for their health and safety and to ensure the</i></p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
			<i>resilience of the critical infrastructure. I recommend that Transpower's submission on NHP8 (39.09) is rejected."</i>	
31.10	Rule NH-R4 New Critical Infrastructure	<p>Support</p> <p>Retain Rule NH-R4 as notified.</p> <p>Transpower supports Rule NH-R4 on the basis that the Rule, and accompanying matters of discretion, appropriately provide for new critical infrastructure in the Flood Hazard Assessment Overlay in a manner that, insofar as the Rule relates to the National Grid, gives effect to NPSET.</p>	The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that the Rule is retained as notified.	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
31.11	Rule NH-R6 New critical infrastructure, major hazard facilities, education facilities and visitor accommodation activities or extensions to existing critical infrastructure and major hazard facilities, education facilities and visitor accommodation activities	<p>Support in part</p> <p>Amend the Matters of Discretion in Rule NH-R4 to include the following:</p> <p><i>"x. Any positive effects from the proposal."</i></p> <p>Transpower generally supports Rule NH-R6 to the extent that a consent pathway provided for new critical infrastructure in the Fault Hazard (Critical Infrastructure) Overlay. However, Transpower seeks a minor amendment to the Matters of Discretion to allow for a consideration of the benefits, or positive effects, of the activity in a manner that mirrors the Matters of Discretion in Rule NH-R4.</p>	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that the submission be accepted as follows:</p> <p><i>233. I agree with Transpower's (31.11) and Meridian's (39.14) submissions on NH-R6 to allow for the positive effects of these activities to be taken into consideration by adding a new matter of discretion for the positive effects of proposals. I consider this additional matter of discretion will be the most appropriate way to achieve Strategic Directions objective ATC-O3, which requires that the importance of infrastructure to the District is recognised and provided for, and that critical infrastructure is as resilient as possible to the risks of natural hazards (NH-O2). I recommend that these submissions (31.11 and 39.14) be accepted."</i></p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
Notable Trees				
31.12	Rule TREE-R2 Pruning of a Notable Tree listed in TREE-SCHED1 for the	<p>Support in part</p> <p>Amend Rule TREE-R2 as follows:</p> <p><i>"Activity Status: PER</i></p> <p><i>Where:</i></p>	The Section 42A Report Part B: Plan Change 28 (and Variation 1 to Plan Change 26 and Variation 1 to Plan Change 27) Historic Heritage and Notable Trees recommends that the submission be accepted as follows:	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower’s Position				
	Purpose of Maintaining Overhead Lines and Road Corridor Safety	<p>1. The work is required to ensure the safe operation of the overhead lines or roading corridor including works or maintenance required under, and carried out in accordance with, the Electricity (Hazards from Trees) Regulations 2003, or the Telecommunications Act 2001; and</p> <p>2. The work is undertaken by a qualified arborist; and</p> <p>3. Council is notified two weeks prior to the work being undertaken <u>except where the works are necessary to prevent an imminent danger to people, property or infrastructure.</u>”</p> <p>Transpower generally supports Rule TREE-R2 on the basis that the Rule provides for the operation and maintenance of the National Grid by enabling the trimming of notable trees that would otherwise pose a risk to the National Grid. Transpower seeks a limited amendments to the Rule to:</p> <ul style="list-style-type: none">recognise that the work might be required for operation of transmission lines more generally (as opposed to for reasons of safety);provide an exemption to the requirement to notify the Council where the tree presents an imminent danger to the National Grid. Transpower considers that this Rule, with amendment, gives effect to Policies 1, 2 and 5 of the NPSET.	“246. In my view, removal of the word ‘safe’ from the rule is appropriate. The Electricity (Hazards from Trees) Regulations 2003 has a dual purpose – to protect the security of supply of electricity, and the safety of the public. Therefore, it follows that trees may need pruning to ensure the security of electricity supply, and not necessarily to ensure safe operation of overhead lines. I also consider that the amendment to provide a permitted pathway to allow for immediate pruning where there is imminent danger to people, property or infrastructure is an appropriate change. Notifying Council two weeks prior to works is not practical in an emergency situation. I therefore recommend the submission of Transpower (31.12) is accepted.”					
Variation 1 to Plan Change 26								
Infrastructure								
31.13	Introduction – Table 1	<p>Support in part Amend Table 1 as follows:</p> <table><tr><th>Topic</th><th>Plan Provisions that Apply to Activities Managed in this Chapter</th></tr><tr><td><u>Hazardous Substances</u></td><td>HAZS-Q2, <u>HAZS-O1</u>, HAZS-P1, HAZS-P2, HAZS-R1, HAZS-R2”</td></tr></table> <p>Transpower acknowledges and supports the proposed amendments to Table 1 to clearly set out the provisions that apply to infrastructure, in addition to those in the</p>	Topic	Plan Provisions that Apply to Activities Managed in this Chapter	<u>Hazardous Substances</u>	HAZS-Q2 , <u>HAZS-O1</u> , HAZS-P1, HAZS-P2, HAZS-R1, HAZS-R2”	<p>The Section 42A Report Part A: Plan Change 28 Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation Variation 1 to Plan Change 26 Variation 1 to Plan Change 27 recommends that the submission be accepted in part as follows:</p> <p>“306. I agree with the submission by Transpower (31.13) that objective reference in Table 1 of the INF Chapter should be HAZS-O1 which relates to the use and storage of hazardous substances. I consider this to be a drafting error that requires correcting. I do not</p>	Transpower accepts the recommendation for the reasons given in Transpower’s submission and the S42A report.
Topic	Plan Provisions that Apply to Activities Managed in this Chapter							
<u>Hazardous Substances</u>	HAZS-Q2 , <u>HAZS-O1</u> , HAZS-P1, HAZS-P2, HAZS-R1, HAZS-R2”							

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		<p>Infrastructure Chapter. In respect of the proposed Hazardous Substances provisions Transpower notes that the following provisions apply to Infrastructure:</p> <ul style="list-style-type: none"> HAZS-O2 Sensitive Activities; HAZS-P1 Storage and Use of Hazardous Substances; HAZS-P2 Management of Major Hazard Facilities; HAZS-R1 Use and/or Storage of Hazardous Substances, Excluding a Major Hazard Facility; HAZS-R2 New Major Hazard Facilities and Additions or Alterations to Existing Major Hazard Facilities. <p>In this regard, it is not clear why HAZS-O1 Use and Storage of Hazardous Substances is not included in the list, while the implementing Policy HAZS-P1 is. Similarly, it is not clear why HAZS-O2 is included in the list but the implementing Policy HAZS-P3 Location of Sensitive Activities is not. In this regard, Transpower notes that infrastructure activities are not sensitive activities and therefore Objective HAZS-O2 (and Policy HAZS-P3) are not likely to be relevant to the Infrastructure Chapter. Further, some infrastructure activities involve the use and storage of hazardous substances. Therefore, it is appropriate that HAZS-O1 applies to infrastructure.</p>	<p><i>agree that the provisions that manage major hazard facilities should be deleted from this table. I acknowledge that there may be some major hazard facilities that are also defined as 'critical infrastructure'. In these situations, both the INF Chapter (and/or the REG Chapter), along with the provisions that apply to major hazard facilities in the HAZS Chapter will apply to these activities. For clarity, I consider that, and the cross references in Table 1 in both the INF and REG Chapters are required and should be retained. I therefore recommend that this submission (31.13) is accepted in part."</i></p>	
PLAN CHANGE 29 – OPEN SPACE AND RECREATION ZONES, NOISE, SIGNS AND TEMPORARY ACTIVITIES, AND VARIATIONS				
Noise				
14.01	Rule NOISE-R1 Noise Generating Activity Not Otherwise Listed	<p>Support in part</p> <p>Amend Rule NOISE-R1 as follows:</p> <p>"Activity Status: PER</p> <p>Where:</p> <p>1. The noise generated by any activity does not exceed the limits set out in NOISE-TABLE 1, measured at the location set out in NOISE-TABLE 1 <u>except that a nighttime (10.00pm — 7.00am) noise limit of 45dBL_{Ae}(15min) applies to noise generated by the National Grid in all zones.</u></p> <p>Transpower generally supports Rule NOISE-R1 insofar as the Rule relates to the National Grid, except that Transpower is</p>	<p>The Section 42A Report: Plan Change 29 (and Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27) Open Space and Recreation Zones, Noise, Signs and Temporary Activities recommends that the submission be rejected as follows:</p> <p><i>"152. In terms of Transpower's request to amend NOISE-R1 to apply a higher limit for noise generated for the National Grid, I note that Transpower's existing substations (and switchyards) within the District are designated.5 My understanding is that under the designation, the operation and maintenance of these</i></p>	Transpower accepts the recommendation.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		<p>concerned that the 40dBL_{ae(15min)} nighttime noise limit for specified zones fails to appropriately provide for noise associated with the operation and maintenance of Transpower's substations and, as such, does not give effect to Policies 1, 2 and 5 of the NPSET. For this reason, Transpower seeks that a nighttime noise limit of 45dBL_{ae(15min)} applies to the National Grid throughout Mackenzie District. In this regard, it is understood that similar noise limits apply in other districts across New Zealand.</p>	<p><i>substations, which would fall within the designated purpose, is not subject to compliance with the rules in the MDP, including the noise rules. I also note that for designated sites, noise limits are sometimes included as conditions on a designation – however there are no such conditions in this instance. AES have advised that having a separate, slightly higher limit (of 45dBL_{ae(15min)} during the night-time period) for such infrastructure is consistent with other plans, is still consistent with recommended limits in relevant NZ and international standards, and in their view is suitable to provide a good balance of flexibility for the network operator while also protecting sensitive receivers. However, given the designation, I do not agree that it is appropriate to amend NOISE-R1, because it does not apply to designated sites in any case. Instead, if a noise limit is to be applied to substations (and switchyards) I consider this would be better added to proposed designations TRP-1 to TPR-5.</i></p> <p><i>153. I understand from discussions with Transpower, that they accept that the noise rules do not apply to designations, but are concerned as to how the noise rules might affect consideration of new designations, alterations to designations, and any outline plans, or any noise complaints that might be received. While I understand this concern, I do not consider that the appropriate response is to amend NOISE-R1. I therefore recommend that Transpower's submission point (14.01) be rejected, noting my comment above, that a more appropriate approach might be for the specific noise limit sought to be added to the designations instead."</i></p>	
Signs				
14.02	Policy SIGN-P1 Signs Integral to Activities	<p>Support in part</p> <p>Amend Policy SIGN-P1 as follows: "SIGN-P1 Signs Integral to Activities Enable signs that:</p>	The Section 42A Report: Plan Change 29 (and Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27) Open Space and Recreation Zones, Noise, Signs and Temporary	Transpower accepts the recommendation for the reasons given in

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
		<ol style="list-style-type: none"> are an integral component of activities anticipated within a zone; provide important community information; <u>x. provide for public safety; or</u> are associated with temporary events or activities." <p>Transpower generally supports Policy SIGN-P1, but seeks limited amendments to the Policy to ensure that the Policy recognises the role official signs play in providing for public safety.</p>	<p>Activities recommends that the submission be accepted as follows:</p> <p><i>"201. I agree with Transpower that it is appropriate for an additional clause to be added to SIGN-P1 to refer to signs which provide for public safety. This better aligns with the rule framework which permits such signage, and collectively the policy and rule assist in achieving SIGN-O1, in terms of signage contributing to the wellbeing of the district and to maintain health and safety. I therefore recommend the submission point (14.02) be accepted."</i></p>	Transpower's submission and the S42A report.
14.03	Rule SIGN-R3 Official Signs and Community Information Signs	<p>Support</p> <p>Retain Rule SIGN-R3 and the associated relevant permitted activity standards as notified.</p> <p>Transpower supports Rule SIGN-R3 (and the associated permitted activity standards) because the Rule provides for official signs as a permitted activity and as such provides for public safety.</p>	<p>The Section 42A Report: Plan Change 29 (and Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27) Open Space and Recreation Zones, Noise, Signs and Temporary Activities recommends that the Rule be retained as notified.</p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
Variation 2 to Plan Change 27				
14.04	EARTHWORKS INTRODUCTION	<p>Oppose</p> <p>Amend directions in respect of the application of the Earthworks Chapter to ensure that EW-S6 applies to all earthworks activities in the District.</p> <p>Transpower is concerned that, as a consequence of amendments to the directions in the Earthworks – Introduction Standard EW-S6 Proximity to the National Grid will no longer apply to activities where zones and provisions are exempt from the Earthworks provisions. Transpower considers that EW-S6 (and accompanying policy direction) must apply to all earthworks activities in the District in order to give effect to Policy 10 of the NPSET and to therefore protect the National Grid from activities that may compromise its operation, maintenance, upgrading and development.</p>	<p>The Section 42A Report: Plan Change 29 (and Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27) Open Space and Recreation Zones, Noise, Signs and Temporary Activities recommends that the submission be rejected as follows:</p> <p><i>"295. With respect to Transpower's submission, I note that the changes proposed through V2PC27 are to apply the chapter to the OSZ and SARZ. The effect of this, is that EW-S6 will now apply, via EW-R3, to these zones. The changes do not reduce or remove the application of the chapter. I therefore do not consider that any changes are required as a result of this submission point (14.04) and recommend that it be rejected."</i></p>	Transpower accepts the recommendation for the reasons given in the S42A report.

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
PLAN CHANGE 30 – SPECIAL PURPOSE ZONES, AND VARIATIONS				
Variation 3 to Plan Change 27				
	EARTHWORKS INTRODUCTION	<p>Oppose</p> <p>Amend directions in respect of the application of the Earthworks Chapter to ensure that EW-S6 applies to all earthworks activities in the District.</p> <p>Transpower is concerned that, as a consequence of amendments to the directions in the Earthworks – Introduction Standard EW-S6 Proximity to the National Grid will no longer apply to some activities where zones and provisions are exempt from the Earthworks provisions. Transpower notes that the EW-S6 is generally included in the Rules in Proposed Plan Change 30. However, for the avoidance of doubt, Transpower considers that EW-S6 (and accompanying policy direction) must apply to all earthworks activities in the District in order to give effect to Policy 10 of the NPSET and to therefore protect the National Grid from activities that may compromise its operation, maintenance, upgrading and development.</p>	This submission point doesn't appear to have been addressed.	While not addressed in the S42A report, Transpower considers that it is appropriate to rely on the recommendation for 14.04 to understand that the Standard will apply.
DESIGNATIONS				
03.01 and 03.02	TPR-1 Ōhau A Outdoor Switchyard	<p>Support</p> <p>Retain TPR-1 as a designation and its identification on the planning maps.</p> <p>Formerly 3.</p> <p>Pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991 (RMA), Transpower gave notice on 1 August 2023 that its existing designations under the Operative Mackenzie District Plan are required to be included in the Proposed Mackenzie District Plan without modification.</p>	<p>The Section 42A: Designations Report on Designations Chapter and submissions on Designations and Notices of Requirements recommends that the submission be accepted as follows:</p> <p><i>"122. TRP submitted in support on all five of the TPR designations (requesting the designations be retained as notified, except for TPR-4 (03.01). Transpower requested that the legal description for TPR-4 be amended to Lot 2 DP 341333 (03.02). Effects on the environment (s171(1)(a))</i></p> <p><i>123. The infrastructure and the designations are existing. The changes to the Requiring Authority name and the legal description are administrative in nature and will not result in any changes to the activities undertaken at the sites.</i></p>	Transpower accepts the recommendation for the reasons given in Transpower's submission and the S42A report.
	TPR-2 Takapō / Tekapo A Outdoor Switchyard	<p>Support</p> <p>Retain TPR-2 as a designation and its identification on the planning maps.</p> <p>Formerly 4.</p>		

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		Pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991 (RMA), Transpower gave notice on 1 August 2023 that its existing designations under the Operative Mackenzie District Plan are required to be included in the Proposed Mackenzie District Plan without modification.	<p><i>Recommendations and amendments</i></p> <p><i>124. It is recommended that both submission points be accepted (03.01 and 03.02).</i></p> <p><i>125. A s171 evaluation has been included in the above assessment. Based on my assessment above, I recommend that the Hearing Panel recommend to the Requiring Authority that TPR-1, TPR-2, TPR-3, TPR-4 and TPR-5, are confirmed, with the amendment to change the text of the legal description for TPR-4 as set out in Appendix 1."</i></p>	
	TPR-3 Tekapo B Outdoor Switchyard	<p>Support</p> <p>Retain TPR-3 as a designation and its identification on the planning maps.</p> <p>Formerly 5.</p> <p>Pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991 (RMA), Transpower gave notice on 1 August 2023 that its existing designations under the Operative Mackenzie District Plan are required to be included in the Proposed Mackenzie District Plan without modification.</p>		
	TPR-4 Twizel Electricity Substation	<p>Support in part</p> <p>Amend the legal description to improve accuracy of the Proposed Mackenzie District Plan.</p> <p>Amend the legal description for TPR-3 as follows: <i>"Lot 2 DP 341333"</i></p> <p>Retain TPR-3 as a designation and its identification on the planning maps.</p> <p>Formerly 6.</p> <p>Pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991 (RMA), Transpower gave notice on 1 August 2023 that its existing designations under the Operative Mackenzie District Plan are required to be included in the Proposed Mackenzie District Plan without modification. The notice referenced Lot 2 DP 341333 but this has been incorrectly referenced in the proposed Designation Chapter.</p>		

Reference	Provision	Submission/Relief	Section 42A Report Recommendation	Transpower's Position
	TPR-5 Albury Electricity Substation	<p>Support</p> <p>Retain TPR-3 as a designation and its identification on the planning maps.</p> <p>Formerly 7.</p> <p>Pursuant to Schedule 1 (Clause 4) of the Resource Management Act 1991 (RMA), Transpower gave notice on 1 August 2023 that its existing designations under the Operative Mackenzie District Plan are required to be included in the Proposed Mackenzie District Plan without modification.</p>		