

# Supplementary Further Submission by Transpower New Zealand Limited

## Proposed Timaru District Plan

18 March 2024

*Keeping the energy flowing*



## Form 6

### Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

*Clause 8 of Schedule 1, Resource Management Act 1991*

To Timaru District Council (“the Council”)

**Name of person making further submission:** Transpower New Zealand Limited (“Transpower”)

**This is a further submission in support of, and in opposition to, submissions on:** the proposed Timaru District Plan (“Proposed District Plan”).

Transpower has an interest in the Proposed District Plan that is greater than the interest the general public has, for reasons including the following:

- Transpower is the owner and operator of the National Grid and the National Grid is enabled, protected and regulated by the National Policy Statement on Electricity Transmission 2008 (“NPSET”) and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”). The proposed District Plan must give effect to the NPSET and must not duplicate or conflict with the regulations in the NESETA. Transpower has an interest in ensuring that the proposed District Plan meets these statutory obligations.
- Transpower has an interest as a landowner and/or occupier in respect of existing and future National Grid infrastructure that is potentially affected (directly or indirectly) by the relevant submissions.
- Transpower made an original submission on matters raised or affected by other submissions.

#### **Transpower’s further submission**

This further submission supplements Transpower’s original further submission dated 11 August 2023.

Transpower’s support of, or opposition to, a particular submission including the reason for Transpower’s support or opposition and the relief sought are detailed in the table attached as Appendix A. The general reasons for Transpower’s further submission are set out below. These reasons apply to each submission listed in Appendix A and are supplemented by specific reasons and relief in Appendix A.

#### **General reasons and decisions sought in respect of submissions supported by Transpower**

For each of the submissions identified as being supported by Transpower, they are supported to the extent that they:

- give effect to the NPSET;
- give effect to relevant provisions of the Canterbury Regional Policy Statement 2013 (July 2021) (“CRPS”);
- are consistent with and/or promote the outcomes sought by the NESETA;
- are the most appropriate means of exercising the Council’s functions in respect of section 32 of the RMA;
- enable people and communities to provide for their social, economic and cultural well-being and for their health and safety.

Transpower seeks that the submissions it supports be allowed to the extent that they achieve the matters set out above or such further alternate relief or amendments as may be necessary to achieve those matters.


#### **General reasons and decisions sought in respect of submissions opposed by Transpower**

For each of the submissions identified as being opposed by Transpower, they are opposed to the extent that they failed to achieve the matters set out above.

Transpower seeks that the submissions it opposes be disallowed to the extent that they fail to achieve the matters set out above or such further alternative relief or amendments as may be necessary to achieve those matters.

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

**Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.**



Signature of person authorised to sign  
on behalf of Transpower New Zealand Limited

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## Appendix A – Transpower New Zealand Limited: Supplementary Further Submission on Submissions Made on the Proposed Timaru District Plan

The following table sets out the decisions sought by Transpower in respect of submissions made on the Proposed District Plan, including the reasons for Transpower’s support or opposition in respect of the original submission. The proposed District Plan text is shown without underlining; the relief sought in primary submission is shown as black underlined and ~~strike through~~; and the further amendments sought by Transpower are shown in red double underlined and ~~double strike through~~.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
<b>Waka Kotahi NZ Transport Agency (Submission number 143)</b>				
143.1	<p>Relationships between Spatial Layers General</p> <p>Supports that the Relationship between Spatial Layers section of the Plan acknowledges there can be conflict between area-specific spatial layers, and it clarifies this by recognising the hierarchy of provisions in Figure 5.</p> <p>However, an amendment is sought to the wording to indicate that higher ranking provisions have precedent rather than ‘alters relevant provisions’ as this provides clarity to plan users how the different spatial layers interact.</p> <p>Amend the text under Figure 4 follows: When there is a conflict between the provisions of different spatial layers, the following principles apply: “[...]”</p> <p><i>2. When there is a conflict between area-specific spatial layers, layers with a higher ranking in the below figure <del>alters have precedent over the</del> relevant provisions in the layers underneath it.”</i></p>	Support in part	<p>Transpower does not oppose the submission and similarly considers that it is important that the relationship between provisions in the Proposed District Plan is made as clear as possible. Subject to the relief sought in Transpower’s primary submission, Transpower seeks that any direction given that sets out the relationship between spatial layers does not contradict or override the direction given in the Energy and Infrastructure Chapter that has the effect of ensuring the zone rules do not apply to infrastructure activities. In addition, Transpower prefers the term ‘prevails’ to ‘have precedent’ or ‘precedence’.</p>	<p><b>Allow</b> the submission to the extent that the Proposed District Plan provides clear direction that the Energy and Infrastructure Chapter provisions prevail over other provisions in the Proposed District Plan.</p>
<b>Radio New Zealand Limited (submission number 152)</b>				
152.27	<p>EI - Energy and Infrastructure Introduction</p>	Support in part	<p>Transpower generally supports the relief sought, but considers that it is important that the additional introductory text also recognises that land use</p>	<p><b>Allow</b> the submission, subject to the follow further amendment:</p>

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>Supports subject to amendments that refer to lifeline utilities and the risks of reverse sensitivity effects. This is consistent with other objectives in the Proposed Plan and appropriately recognises infrastructure which serves a critical civil defence role.</p> <p>Amend the Introduction of The Infrastructure and Energy Chapter as follows:</p> <p>1. Amend the second paragraph as follows:  “[...] <i>Regionally Significant Infrastructure, Lifeline Utilities, and other infrastructure have important functions [...]</i>”</p> <p>AND</p> <p>2. Add text to the Introduction of The Infrastructure and Energy Chapter as follows:  <i>“Inappropriately located or designed land use activities can cause reverse sensitivity effects which may compromise the safe and effective functioning of significant and locally important infrastructure.”</i></p>		<p>activities can have direct adverse effects on important infrastructure. For example, destabilising support structures or preventing access to the infrastructure. For this reason, and in order to give effect to Policies 10 and 11 of the NPSET, Transpower seeks that the relief is amended to refer to adverse effects.</p>	<p><i>“Inappropriately located or designed land use activities can cause <b>adverse effects</b>, including <b>reverse sensitivity effects</b>, which may compromise the safe and effective functioning of significant and locally important infrastructure.”</i></p>
<b>Royal Forest and Bird Protection Society (submission number 156)</b>				
156.4	<p>Planning Maps Coastal Environment Area overlay</p> <p>The submitter considers the mapping of the coastal environment is inadequate. Considers reassessing to appropriately apply Policy 1 of the NZCPS. The coastal environment should extend 1km or more landward.</p> <p>Considers the Coastal Environment overlay, being a narrow strip of area, is not accurately mapped and does not give effect to the NZCPS.</p> <p>Amend the Coastal Environment overlay to adequately map the coastal environment.</p>	Oppose	<p>While Transpower supports the submission to the extent that Transpower agrees that the coastal environment should be identified in a manner that gives effect to the NZCPS, Transpower does not support the relief sought on the basis that significant spatial amendments to the overlay would have the effect of applying further provisions of the Proposed District Plan over land (and activities) where the landowner and occupiers have not had the opportunity to consider the implications of those provisions through the submission process. Further, such implications have not been adequately evaluated under section 32 of the RMA.</p>	<b>Disallow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	Amend the Coastal Environment overlay to ensure the overlay extends at least one kilometre inland from the mean-high springs.			
156.50	<p>EI - Energy and Infrastructure General</p> <p>The submitter considers that all provisions in other chapters which give effect to the NZCPS must apply to activities provided for in the EI rules, however this does not appear to be possible under the matters of discretion identified. Nor is it clear that objectives and policy of other chapters, could be adequately considered where consent is required given the wording of provisions in this chapter. The reference “unless otherwise specified” creates uncertainty and appears to be superfluous as there appear to be no such specifications in the chapter.</p> <p>Amend the objectives and policies of the EI - Energy and Infrastructure to avoid conflicts with other chapters addressing s6 RMA matters and giving effect to the NZCPS</p>	Oppose	Subject to the relief sought in Transpower’s primary submission, Transpower does not support the submission and instead considers that it is possible and appropriate for the Energy and Infrastructure Chapter to separately include provisions that give effect to the NZCPS such that it is not necessary for other provisions to apply. Insofar as the relief sought relates to the National Grid, Transpower considers that it is effective and efficient for the Proposed District Plan to include standalone bespoke provisions that reconcile the policy direction given by higher order planning instruments, including the NZCPS and NPSET.	<b>Disallow</b> the submission.
156.55	<p>EI - Energy and Infrastructure Objectives EI-O4 Adverse effects on Regionally Significant Infrastructure and Lifeline Utilities</p> <p>Considers that the objective goes too far and should be limited to existing or authorised RSI and lifeline utilities.</p>	Oppose	<p>Transpower does not support the submission and considers that, insofar as the Objective relates to the National Grid, reference to “operation, maintenance, repair, upgrading or development” is necessary and appropriate to give effect to Policy 10 of the NPSET. Policy 10 is as follows:</p> <p><i>“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 <b>operation, maintenance, upgrading, and development</b> of the electricity transmission network is not compromised.”</i> [emphasis added]</p>	<b>Disallow</b> the submission.
<b>Silver Fern Farms (submission number 172)</b>				
172.11	<p>Definitions Definitions: Sensitive activity</p>	Oppose	Transpower opposes the relief sought on the basis that seasonal workers’ accommodation and	<b>Disallow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>The submitter seeks an amendment to exclude seasonal workers accommodation and caretaker dwellings from the definition as seasonal workers accommodation and caretaker dwellings are sometimes established on industrial sites. The references in (a) and (b) of the definition also require re-numbering and rationalisation.</p> <p>Amend definition of Sensitive Activity as follows:  <i>“SENSITIVE ACTIVITY means:</i>  1. <i>Residential activities (excluding seasonal workers accommodation and caretaker dwellings)”;</i>  2. [...]  AND  Correct the references in (a) and (b).</p>		<p>caretaker dwellings are sensitive to the effects of the National Grid and fall within the inclusive definition in the NPSET and are therefore ‘captured’ by Policy 11 of the NPSET. Allowing an exclusion, as proposed, would fail to give effect to the NPSET.</p>	
<b>Rooney Holdings Limited (submission reference 174)</b>				
174.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol  General  Oppose APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol . The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p> <p>Delete the requirement to ‘commit’ to the Accidental Discovery Protocol as outlined in various chapters of the PDP.</p>	Support	<p>Transpower supports the relief sought and, having reviewed the ‘Sites and Areas of Significance to Māori S.32 Report’ dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create an administrative burden for the community and Council.</p>	<b>Allow</b> the submission.
<b>Canterbury Regional Council (Environment Canterbury) (submission reference 183)</b>				
183.78	<p>ECO - Ecosystems and Indigenous Biodiversity  Rules ECO-R3 Clearance of indigenous vegetation associated with the National Grid</p>	Oppose	<p>Transpower opposes the submission on the basis that the relief sought:  - does not give effect to Policies 2 and 5 of the NPSET; and</p>	<b>Disallow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>Opposes that the proposed Plan only provides rules for SNAs that are mapped in the SNA Overlay. While the work done by TDC to identify and map SNAs in the District is applauded, there are SNAs that meet the criteria of Appendix 5 but that have not been identified or mapped. Because they have not been mapped, they are not protected.</p> <p>One of the criteria is "Indigenous vegetation or habitat of indigenous fauna that provides important habitat (including refuges from predation, or key habitat for feeding, breeding, or resting) for indigenous species, either seasonally or permanently." Roosting habitat for species such as pied shag has not been identified. It should be noted that these roosting areas are not necessarily on indigenous vegetation.</p> <p>While a desire to complete the mapping exercise and consider the work done is understandable, the nature of the criteria means that will not be possible. With Climate Change distribution limits for species are likely to change, as is their ecological status of whether they are threatened, at risk, or uncommon, nationally or within the relevant ecological district. These are examples of changes that will affect classification of SNAs.</p> <p>[See original submission for full reasons]</p> <p>Amend the applicability of ECO-R3 so that it not only covers SNAs that are mapped in the SNA Overlay and are set out in ECO-SCHED2, but covers all areas that meet one or more of the criteria in Appendix 5.</p> <p>This could be done by using the same reference as used in ECO-R6: Sites containing a Significant Natural Area</p>		<p>- is inconsistent with Regulation 30 of the NESETA; and</p> <p>- would have unintended and impractical consequences for the implementation of the NESETA.</p>	
<b>Te Runanga o Ngai Tahu (submission number 185)</b>				
185.96	SASM - Sites and Areas of Significance to Māori Policies SASM-P5 Protection of values of Sites and Areas of Significance to Kāti Huirapa	Oppose	Transpower opposes the relief sought on the basis that the additional text and additional clause inappropriately seek to protect sites that are not identified as significant. The consequences of	<b>Disallow</b> the submission.



Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>Support this objective, however seeks an amendment which will increase the policy’s scope so that it can be considered when addressing potential cultural effects identified under other parts of the Plan and clarifying that the protection of values includes the restriction of some activities.</p> <p>Amend SASM-P5 Protection of values of Sites and Areas of Significance to Kāti Huirapa as follows:  <i>“Protect the identified values of <u>the landscape and sites and areas listed in SCHED6 - Schedule of Sites and Areas of Significance to Kāti Huirapa and other sensitive environments</u> through:</i></p> <ol style="list-style-type: none"> <li>1. retention of connections to whakapapa, history and cultural tradition; and</li> <li>2. protection of mauri and intangible values; and</li> <li>3. maintenance or enhancement of access by whānau for customary use and cultural purposes; and</li> <li>4. protection of site integrity; and</li> <li>5. ensuring sustainability of ecosystems supporting taoka species and mahika kai resources.</li> <li>6. <u>requiring activities on or adjoining sites and areas of significance to Māori to minimise adverse effects on the cultural, spiritual and/or heritage values, interests and associations of importance.</u>”</li> </ol>		<p>expanding the Policy have not been thoroughly evaluated under section 32 of the RMA. Further, it is considered that the relief lacks certainty because users of the Proposed District Plan may not be able to determine the extent to which the Policy may apply.</p>	
<b>KiwiRail Holdings Limited (submission number 187)</b>				
187.14	<p>Definitions</p> <p>Definitions Sensitive activity</p> <p>Supports the listed activities within this definition, however, also considers that the list should be expanded to capture all sensitive activities.</p> <p>Amend the definition of Sensitive Activity as follows: means:</p> <p><i>“1. Residential activities;</i></p>	Support	<p>Transpower does not oppose the relief sought on the basis that the amendments to the definition of ‘sensitive activity’ are generally consistent with the definition included in the NPSET.</p>	<b>Allow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>2. Education facilities and preschools;</p> <p>3. Guest &amp; visitor accommodation;</p> <p>4. Retirement Home;</p> <p>5. 4-Health care facilities which include accommodation for overnight care;</p> <p>5- 6. Hospitals;</p> <p>6- 7. Community facility;</p> <p>7- 8. Marae (building only) and papakāinga; or</p> <p>8- 9. Place of assembly worship.</p> <p>[...”</p>			
<b>GJH Rooney (submission number 191)</b>				
191.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol</p> <p>General</p> <p>APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol. The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p> <p>Delete the requirement to ‘commit’ to the Accidental Discovery Protocol as outlined in various chapters of the PDP</p>	Support	<p>Transpower supports the relief sought and, having reviewed the ‘Sites and Areas of Significance to Māori S.32 Report’ dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create an administrative burden for the community and Council.</p>	<b>Allow</b> the submission.
<b>Kāinga Ora (submission number 229)</b>				
229.21	<p>EI - Energy and Infrastructure</p> <p>Policies EI-P3 Adverse effects on Regionally Significant Infrastructure</p> <p>Considers the policy as drafted could result in land which is zoned for residential development being unable to be developed as intended. The Submitter views that the</p>	Oppose	<p>Transpower does not support the relief sought because the suggested amendments to the Policy do not give effect to Policy 10 of the NPSET. That is, Policy 10 addresses direct effects on the National Grid as well as reverse sensitivity effects. The effect of the relief sought is to inappropriately narrow the Policy to reverse sensitivity effects. Transpower</p>	<b>Disallow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>policy should be amended to focus on the management of effects.</p> <p>Amend EI-P3 as follows:</p> <p><i>"1. <del>Ensure</del> <del>New incompatible activities are appropriately located or designed so that reverse sensitivity effects are managed</del> so they do not compromise or constrain the safe, effective and efficient operation, maintenance, repair, development or upgrading of any Regionally Significant Infrastructure and lifeline utilities; and</i></p> <p><i>2. Recognise and provide for the safe and efficient operation, maintenance, upgrading, removal and development of the National Grid by:</i></p> <p><i>a. avoiding the establishment or expansion of activities sensitive to transmission lines in the National Grid Yard and avoiding subdivision, use and development <u>which will result in reverse sensitivity effects</u> that <del>may</del> will compromise the operation, maintenance, repair, upgrading, renewal, or development of the National Grid; and</i></p> <p><i>b. [...]"</i></p>		<p>notes that the policy would, as suggested, result in land zoned for residential development being unable to be developed for residential purposes.</p> <p>Transpower considers that this is the direction given in the NPSET and NPSUD.</p>	
<b>Horticulture New Zealand (submission reference 245)</b>				
245.45	<p>EI - Energy and Infrastructure</p> <p>Policies EI-P3 Adverse effects on Regionally Significant Infrastructure</p> <p>Considers the policy is broad in its application, and therefore a change is sought to implement the changes sought to EI-O4 through the addition of 'to the extent reasonably possible'.</p> <p>Also the NPSET Policy 11 is that they will 'generally not be provided for' rather than an absolute avoid.</p> <p>Clause a) is best split as there are 3 matters being addressed with different directives.</p>	Oppose	<p>Transpower does not support the relief sought on the basis that the suggested clause (2)(b) does not correctly reflect the direction given in Policy 11 of the NPSET. That is, Policy 11 states:</p> <p><i>"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."</i></p> <p>Transpower considers that the use of the term "avoid" appropriately reflects the direction in the NPSET that sensitive activities will not be given resource consent. In this regard, it is noted that</p>	<b>Disallow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>Clarification is sought by the addition of a definition for 'activities sensitive to transmission lines' consistent with the definition for sensitive activities in the NPSET.</p> <p>[Refer to original submission for full reason]</p> <p>Amend EI-P3 Adverse effects on Regionally Significant Infrastructure as follows:</p> <p><i>"1. Ensure new incompatible activities are appropriately located or designed so they do not <u>unreasonably</u> compromise or constrain the safe, effective and efficient operation, maintenance, repair, development or upgrading of any Regionally Significant Infrastructure and lifeline utilities; and</i></p> <p><i>2. Recognise and provide for the safe and efficient operation, maintenance, upgrading, removal and development of the National Grid by:</i></p> <p><i><del>a. avoiding the establishment or expansion of activities sensitive to transmission lines in the National Grid Yard and avoiding subdivision, use and development that may compromise the operation, maintenance, repair, upgrading, renewal, or development of the National Grid; and</del></i></p> <p><i><u>a. Generally avoid the establishment or expansion of activities sensitive to transmission lines in the national Grid Yard</u></i></p> <p><i><u>b. Manage subdivision use and development in to ensure that the National Grid is not compromised .."</u></i></p>		<p>horticultural activities are not sensitive activities and would not be managed by the provisions that implement this such a clause. Rather horticultural activities are addressed through Policy 10 of the NPSET and subject to a direction that activities <i>"ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised."</i></p>	
<b>Rooney Group Limited (submission number 249)</b>				
249.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol</p> <p>General</p> <p>APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol . The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is</p>	Support	<p>Transpower supports the relief sought and, having reviewed the 'Sites and Areas of Significance to Māori S.32 Report' dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap</p>	<b>Allow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	<p>unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p> <p>Delete the requirement to 'commit' to the Accidental Discovery Protocol as outlined in various chapters of the PDP.</p>		with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create an administrative burden for the community and Council.	
<b>Rooney Farms Limited (submission number 250)</b>				
250.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol</p> <p>General</p> <p>APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol . The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p> <p>Delete the requirement to 'commit' to the Accidental Discovery Protocol as outlined in various chapters of the PDP.</p>	Support	Transpower supports the relief sought and, having reviewed the 'Sites and Areas of Significance to Māori S.32 Report' dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create an administrative burden for the community and Council.	<b>Allow</b> the submission.
<b>Rooney Earthmoving Limited (submission number 251)</b>				
251.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol</p> <p>General</p> <p>APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol . The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p>	Support	Transpower supports the relief sought and, having reviewed the 'Sites and Areas of Significance to Māori S.32 Report' dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create	<b>Allow</b> the submission.

Reference	Provision and Relief Sought	Support/ Oppose	Reason	Allow/Disallow
	Delete the requirement to 'commit' to the Accidental Discovery Protocol as outlined in various chapters of the PDP.		an administrative burden for the community and Council.	
<b>Timaru Developments Limited (submission number 252)</b>				
252.98	<p>APP4 Form confirming a commitment to adhering to an Accidental Discovery Protocol General</p> <p>APP4 and the need to confirm a commitment to adhering to an Accidental Discovery Protocol . The submitters support the principle of accidental discovery protocol, the specified requirement is a pseudo contract that is unnecessary. The submitter supports working with the relevant authorities and local Rūnanga when accidental discovery occurs.</p> <p>Delete the requirement to 'commit' to the Accidental Discovery Protocol as outlined in various chapters of the PDP.</p>	Support	Transpower supports the relief sought and, having reviewed the 'Sites and Areas of Significance to Māori S.32 Report' dated May 2022, considers that there is no clear rationale for requiring the Accidental Discovery Protocol commitment form in the manner proposed. Transpower further notes that this requirement has the potential to overlap with, and conflict with, the requirement of the HNZPT Act. A direction on accidental discovery is provided by the advice note in the Earthworks chapter and Transpower is of the view that this additional requirement has the potential to create an administrative burden for the community and Council.	<b>Allow</b> the submission.