

## SUBMISSION ON THE PROPOSED NATURAL HAZARDS PLAN CHANGE

(Clause 6 First Schedule Resource Management Act 1991)

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**TO:** Proposed Natural Hazards Plan  
Change 3  
Kaikoura District Council  
PO Box 6  
Kaikoura

*Submission lodged by email –  
[admin@kaikoura.govt.nz](mailto:admin@kaikoura.govt.nz)*

**SUBMISSION ON:** Natural Hazards Plan Change 3

**SUBMISSION BY:** MainPower New Zealand Limited

**TRADE COMPETITION STATEMENT:** MainPower New Zealand Limited could not gain an advantage in trade competition through this submission.

**SUBMITTER ADDRESS:** MainPower New Zealand Limited  
PO Box 346  
Rangiora 7440

Attention: Mark Appleman

*Please note the different address for service below.*

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### INTRODUCTION

1. These submissions are made by MainPower New Zealand Limited (MainPower).
2. MainPower makes submissions in support and in opposition to elements of the proposed Natural Hazards Plan Change 3 (PC3).

### STATEMENT OF INTEREST AND BACKGROUND

3. MainPower New Zealand Limited own and operate the electricity distribution network in the North Canterbury and Kaikoura regions. The network covers an area of some 11,180

square kilometres (covering the Waimakariri, Hurunui and Kaikoura districts) and supplies line services to approximately 40,000 customer connections.

4. The distribution network is used to convey electricity from the national grid (owned and operated by Transpower New Zealand Limited) to property boundaries, from which electricity retailers provide electricity to individual properties. Their distribution assets include:
  - a. 66kV sub-transmission overhead lines and cables
  - b. 33kV sub-transmission overhead lines and cables
  - c. 22kV sub-transmission overhead lines and cables
  - d. 11kV sub-transmission overhead lines and cables
  - e. Substations/transformers/switching stations/kiosks
  - f. Electricity structures (poles/pylons, earth rods and associated buildings)
  - g. Access tracks
  
5. The electricity sub-transmission network is identified as regionally significant infrastructure and is an essential lifeline service. Its significance is recognised in various planning documents, including the Regional Policy Statement (2013).

#### **SUBMISSION SUMMARY**

6. MainPower's overarching goal is to ensure PC3 recognises the operational and technical restrictions regarding the operation requirements of critical infrastructure. It is essential that PC 3 provides for the operation, maintenance, repair, replacement and upgrade of existing assets, especially when located within identified natural hazard areas.
  
7. While MainPower acknowledges the risks of locating assets within known natural hazard areas and seeks to avoid them, due to operational and technical constraints of the asset, this cannot always be avoided. When it is necessary to locate infrastructure within a natural hazard area, provision needs to be incorporated into the District Plan to facilitate that need, subject to any increased risk of the natural hazard being adequately mitigated.
  
8. The essential issue for MainPower is to ensure they provide a resilient and reliable network and that they maintain ability to construct, operate, maintain and upgrade their

assets in a manner where natural hazard risk are avoided or mitigated. This has formed the basis of MainPower's submission. The specific submission points, and the relief sought, are included in the table attached as **Appendix One**.

## RELIEF

9. MainPower seeks the following decision from the Council:
- a. grant the relief as set out above and in **Appendix One** below; and/or
  - b. grant any other consequential or similar relief that is necessary to deal with MainPower's concerns and the issues raised in this submission.

## HEARING

10. MainPower wishes to be heard in support of its submissions.
11. If others make a similar submission, MainPower will consider presenting a joint case with them at the hearing.

Submission signed for and on behalf of MainPower New Zealand Limited



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**Resource Management Group Limited**

30 April 2021

Address for Service:

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**ATTACHMENTS:**

Appendix One: Submissions on Plan Provisions

**Appendix One – Submission Table MainPower New Zealand Limited**

General relief
MainPower New Zealand Limited (MainPower) supports and otherwise seeks amendments to the Proposed Natural Hazards Plan Change 3 as detailed in the table below, including any alternative and/or consequential amendments to the issues, objectives, policies, rules maps and other methods required to give effect to the relief sought

Note: Proposed additions are underlined and deletions ~~struck through~~

Chapter 4: Definitions		
Term	Submission	Relief sought
<p><b>Critical Infrastructure</b></p> <p>means infrastructure necessary to provide services which, if interrupted, would have a serious effect on the communities within the Region or a wider population, and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes:</p> <ol style="list-style-type: none"> <li>1. regionally significant airports</li> <li>2. regionally significant ports</li> <li>3. gas storage and distribution facilities</li> <li>4. electricity substations, networks and distribution installation, including the electricity distribution network</li> <li>5. supply and treatment of water for public supply</li> <li>6. storm water and sewage disposal systems</li> </ol>	<p>MainPower supports the inclusion of electricity substations, networks and distribution installation, including the electricity distribution network as critical infrastructure.</p> <p>However, critical infrastructure should reference all parts of the distribution networks, and as currently drafted, this remains a possibility. The definition should simply refer to the networks and distribution installations as a whole.</p>	<p><b>Amend</b> point 4 as follows:</p> <ol style="list-style-type: none"> <li>4. electricity substations, networks and distribution installations, including the electricity distribution network</li> </ol>

<ul style="list-style-type: none"> <li>7. telecommunications installations and networks</li> <li>8. strategic road and rail networks (as defined in the Regional Land Transport Strategy).</li> <li>9. Petroleum storage and supply facilities</li> <li>10. Public healthcare institutions including hospitals and medical centres</li> <li>11. Fire stations, police stations, ambulance stations, emergency coordination facilities.</li> </ul>		
<p><b>Hazard Sensitive Building</b> means any building or buildings which:</p> <ul style="list-style-type: none"> <li>1. is/are used as part of the primary activities on the site; or</li> <li>2. contains habitable rooms; or</li> <li>3. which are serviced with a sewage system and connected to a potable water supply,</li> </ul> <p>For the purposes of clause 1, buildings such as the following are not included:</p> <ul style="list-style-type: none"> <li>i. farm sheds used solely for storage;</li> <li>ii. carports;</li> <li>iii. garden Sheds; and</li> <li>iv. any buildings with a dirt/gravel or similarly unconstructed floor.</li> </ul>	<p>The definition of hazard sensitive building has the potential to include infrastructure and critical infrastructure where they are the primary activities on the site.</p> <p>There remains the potential the maintenance, upgrade and installation of infrastructure and critical infrastructure will be subject to rules beyond 8.5.8 and 8.5.9. To avoid this possibility, MainPower seeks infrastructure and critical infrastructure are excluded from the definition of hazard sensitive buildings.</p>	<p><b>Amend</b> the definition of hazard sensitive building as follows:</p> <p>For the purposes of clause 1, buildings such as the following are not included:</p> <ul style="list-style-type: none"> <li>i. farm sheds used solely for storage;</li> <li>ii. carports;</li> <li>iii. garden Sheds; <del>and</del></li> <li>iv. any buildings with a dirt/gravel or similarly unconstructed floor-; <u>and</u></li> <li>v. <u>infrastructure and critical infrastructure.</u></li> </ul>
<p><b>Operational Need</b> means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical, operational characteristics or constraints.</p>	<p>MainPower supports the inclusion of the definition of operational need.</p>	<p><b>Adopt</b> the definition of operational need.</p>
<p><b>8.2 Objectives</b></p>		

Objective	Submission	Relief sought
<p><b>8.2.2 Infrastructure</b></p> <ol style="list-style-type: none"> <li>1. Upgrading maintenance and replacement of existing infrastructure and new non-critical infrastructure within all-natural hazard overlays is enabled where the infrastructure does not increase the risk to life or property from natural hazard events, or transfer the risk to another site; and</li> <li>2. New critical infrastructure avoids High Flood Hazard Areas, but where this is not possible or is impractical, is designed to maintain its integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.</li> </ol>	<p>MainPower supports the inclusion of objective 8.2.2 as it enables upgrading, maintenance and replacement of existing infrastructure. It also provides for new critical infrastructure in High Flood Hazards Areas where it is not possible or is impractical to locate outside of this area.</p> <p>However, the objective does not provide for the upgrading, maintenance or repair of existing critical infrastructure. In addition, point 2 can be reworded to be clearer.</p>	<p><b>Amend</b> objective 8.2.2 as follows:</p> <ol style="list-style-type: none"> <li>1. Upgrading maintenance and replacement of existing infrastructure, <u>critical infrastructure</u> and new non-critical infrastructure within all-natural hazard overlays is enabled where the infrastructure does not increase the risk to life or property from natural hazard events, or transfer the risk to another site; and</li> <li>2. New critical infrastructure avoids High Flood Hazard Areas, <del>but where this</del> <u>unless it is not possible or is impractical when considering operational and technical constraints, and</u> is designed to maintain its integrity and ongoing function during and after natural hazard events or can be reinstated in a timely manner.</li> </ol>
<b>8.3 Natural Hazard Policies</b>		
Policy	Submission	Relief sought
<p><b>8.3.6 Operation, maintenance, replacement and repair of all infrastructure</b></p> <p>Enable the operation, maintenance, replacement, repair or removal of all existing infrastructure in all identified natural hazard overlays</p>	<p>MainPower supports Policy 8.3.6 as it enables the operation, maintenance, replacement, repair or removal of all existing infrastructures.</p>	<p><b>Adopt</b> Policy 8.3.6</p>
<p><b>8.3.8 Critical infrastructure</b></p> <ol style="list-style-type: none"> <li>1. Enable the upgrading of existing critical infrastructure in Flood Assessment Overlays</li> </ol>	<p>MainPower supports the Policy in so far that it enables the upgrading of critical infrastructure, but does not provide for operation, maintenance, replacement</p>	<p><b>Amend</b> Policy 8.3.8 as follows:</p> <ol style="list-style-type: none"> <li>1. Enable the <u>operation, maintenance, replacement, repair and</u> upgrading of existing critical infrastructure in Flood Assessment</li> </ol>

<p>only where the infrastructure does not increase flood risk on another site;</p> <ol style="list-style-type: none"> <li>2. Provide for upgrading of existing critical infrastructure in all other identified Natural Hazard Overlays;</li> <li>3. Manage new critical infrastructure in all Natural Hazard Overlays which are outside of High Flood Hazard Areas to ensure that there is a low risk to life and property damage;</li> <li>4. Avoid new critical infrastructure in High Flood Hazard Areas unless: <ol style="list-style-type: none"> <li>a. Avoidance is impossible or impracticable, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events, or be able to be reinstated in a timely manner; and</li> <li>b. The critical infrastructure does not significantly increase the natural hazard risk to life, or increase risk to life and property on another site</li> </ol> </li> </ol>	<p>or repair. The policy needs to reflect those activities.</p>	<p>Overlays only where the infrastructure does not increase flood risk on another site;</p> <ol style="list-style-type: none"> <li>2. Provide for <u>the operation, maintenance, replacement, repair and upgrading</u> of existing critical infrastructure in all other identified Natural Hazard Overlays;</li> <li>3. Manage new critical infrastructure in all Natural Hazard Overlays which are outside of High Flood Hazard Areas to ensure that there is a low risk to life and property damage;</li> <li>4. Avoid new critical infrastructure in High Flood Hazard Areas unless: <ol style="list-style-type: none"> <li>a. Avoidance is impossible or impracticable <u>when considering operational and technical constraints</u>, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events, or be able to be reinstated in a timely manner; and</li> <li>b. The critical infrastructure does not significantly increase the natural hazard risk to life, or increase risk to life and property on another site</li> </ol> </li> </ol>
<p><b>8.5 Natural Hazard rules</b></p>		
<p>Rule</p>	<p>Submission</p>	<p>Relief sought</p>
<p><b>8.5.8</b> All zones within the:</p>	<p>MainPower supports Rule 8.5.8 with the exception that it does not adequately provide for operation, maintenance,</p>	<p><b>Amend</b> Rule 8.5.8 as follows: All zones within the:</p>



<p>URBAN FLOOD ASSESSMENT OVERLAY; or NON-URBAN FLOOD ASSESSMENT OVERLAY</p> <p>New infrastructure, or upgrading of infrastructure and critical infrastructure where:</p> <p>a. The activity does not result in permanent raising of the ground level.</p>	<p>repair or replacement of existing infrastructure or critical infrastructure.</p>	<p>URBAN FLOOD ASSESSMENT OVERLAY; or NON-URBAN FLOOD ASSESSMENT OVERLAY</p> <p>New infrastructure, or <u>the operation, maintenance, repair, replacement or upgrading</u> of infrastructure and critical infrastructure where:</p> <p>a. The activity does not result in permanent raising of the ground level.</p>
<p><b>8.5.9</b></p> <p>All zones within the:</p> <p>URBAN FLOOD ASSESSMENT OVERLAY; or NON-URBAN FLOOD ASSESSMENT OVERLAY; or LANDSLIDE DEBRIS INUNDATION OVERLAY; or FAULT AVOIDANCE OVERLAY; or or FAULT AWARENESS OVERLAY</p> <p>New critical infrastructure</p>	<p>MainPower supports Rule 8.5.9 in identifying any new critical infrastructure within the identified overlay areas as a restricted discretionary activity.</p> <p>However, while Rule 8.5.8 provides for the upgrading of critical infrastructure, there is no proposed rule that enables the operation, maintenance, repair or the replacement of existing critical infrastructure within the Landslide Debris Inundation Overlay, Fault Avoidance Overlay, or Fault Awareness Overlay as a permitted activity.</p>	<p><b>Add a new rule</b> identifying the operation, maintenance, repair or the replacement of critical infrastructure (similar to Rule 8.5.8) as a permitted activity within the Landslide Debris Inundation Overlay, Fault Avoidance Overlay, or Fault Awareness Overlay as a permitted activity.</p>