

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT RANGIORA / WAIMAKARIRI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI RANGIORA / WAIMAKARIRI**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions and further submissions on the Proposed Waimakariri District Plan
HEARING TOPIC:	Stream 5 – Earthworks, Energy and Infrastructure and Transport Chapters

**STATEMENT OF PRIMARY EVIDENCE OF CLARE DALE
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

PLANNING

7 AUGUST 2023

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1. EXECUTIVE SUMMARY

- 1.1 My name is Clare Elizabeth Dale, and I am a Senior Planner at Novo Group Limited. I have been engaged by Kāinga Ora - Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary submission (submitter #325) and further submissions (further submitter #88) on both the Waimakariri District Council's (**WDC**) Proposed District Plan (**the PDP**) and Variation 1 (**V1**) to the Proposed District Plan (submitter #80).
- 1.2 Kāinga Ora made submissions and further submission points in relation to the Earthworks, Energy and Infrastructure and Transport Chapters of the Waimakariri Proposed District Plan (**PDP**). The Section 42A reports only cover Kāinga Ora submission points on the PDP and not V1. In the Section 42A reports the reporting officers Mr Wilson and Mr MacLennan have recommended accepting some but not all the changes requested by Kāinga Ora. This statement of evidence focuses on the submission points that remain in contention.
- 1.3 In summary the key points of my evidence are as follows:
- a) **Earthworks (EW):** Rules should not place unnecessary consent requirements on relatively minor earthworks associated with typical residential dwelling foundations on flat urban zoned land.
 - b) **Energy and Infrastructure (EI):** Effects of other activities on regionally significant infrastructure require management to ensure incompatible activities do not unreasonably constrain infrastructure. EI Plan provisions consistent with NPSET are supported by Kāinga Ora. However, changes continue to be sought in relation to 'major electricity distribution lines'¹ for two reasons:
 - (i) The National Policy Statement on Electricity Transmission ("**NPSET**") does not apply and/or give the

¹ Major Electricity Distribution Overlay – 66kV and 33kV lines on the MainPower network.

same legal effect to lines other than those forming part of the National Grid, and

- (ii) Plan rules that duplicate the New Zealand Electrical Code of Practice for Safe Electrical Distance (**NZEC 34:2001**) are not efficient.

- c) **Transport:** Effects of other activities on the 'Transport System'² require management to ensure incompatible activities do not unreasonably constrain this regionally significant infrastructure. Transport rules should not place unnecessary consent requirements on residential intensification.

- 1.4 I consider that amendments are needed to appropriately address the effects of 'other activities' on infrastructure in the EI and Transport chapters; to ensure that provisions for 'major electricity distribution lines' don't duplicate other non-RMA processes and to ensure that appropriate consent thresholds are set in the EW and Transport Rules. I have recommended some further changes to the wording of the Section 42A Report's drafting of the Earthworks, Energy and Infrastructure and Transport provisions; a marked up set of provisions showing the further amendments that I recommend is attached as **Appendix 2**.

2. INTRODUCTION

- 2.1 My full name is Clare Elizabeth Dale. I am a senior planner practising with Novo Group Limited in Christchurch. I have the background and experience in my previous statements of evidence dated 1 May 2023 and 10 July 2023. In preparing this evidence I have read the Section 32 and Section 42A reports together with the associated appendices prepared by Council staff and the evidence prepared by: (a) Mr Brendon Liggett - Corporate; and (b) Ms Lisa Williams – Senior Transport Engineer.

² **PDP Definition of Transport System:** means all transport infrastructure, services and mechanisms that contribute to providing for all forms of transport including multi modal transport and active transport. It includes those parts of the transport system that form part of critical infrastructure, strategic infrastructure, regionally significant infrastructure, land transport infrastructure, and strategic transport networks.

Code of Conduct

- 2.2 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence.
- 2.3 Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

- 2.4 My evidence will address the following matters raised in submissions and further submissions on the PDP provisions:
- (a) Earthworks (consent thresholds or triggers);
 - (b) Energy and Infrastructure (NPSET, major electricity distribution lines and effects of 'other activities'); and
 - (c) Transport (objectives and policies relating to 'other activities').
- 2.5 Evidence on Transport rules is covered by Ms. Lisa Williams, Senior Transport Engineer.
- 2.6 I have not prepared evidence in relation to the Noise Chapter. This planning evidence is provided separately by Mr Matt Lindenberg.
- 2.7 In relation to the Energy and Infrastructure provisions, I note that matters relating to the National Grid and major electricity distribution lines will be raised again in other later hearings, particularly in Stream 7 (Residential, Variation 1 and Qualifying Matters) and Stream 8 (Subdivision) as the setback provisions relating to transmission and distribution lines are dispersed across the various chapters of the PDP.
- 2.8 I note that the relevant statutory documents have been identified and outlined within the Section 42A reports of Mr Wilson (Earthworks) and Mr MacLennan (Energy and Infrastructure and Transport) and the

overarching and Part 1 matters officers report by Mr Wilson and I agree with the identification of those matters.

3. KĀINGA ORA SUBMISSIONS AND FURTHER SUBMISSIONS

3.1 The Kāinga Ora submission and further submission points allocated to the Stream 5 hearings in relation to earthworks, energy and infrastructure and transport are attached in **Appendix 1**.

3.2 In summary, they cover the Kāinga Ora position on: consent thresholds or triggers in relation to earthworks; the framework of provisions for and the mapping of the National Grid transmission lines versus other types of major electricity distribution lines; the effects of 'other activities' in relation to regionally significant infrastructure; and consent thresholds/triggers in relation to the transport rules.

3.3 Kāinga Ora has a specific interest in ensuring consistency between the PDP and higher order policy documents. The NPSET seeks to recognise the national significance of the electricity transmission network and manage the effects of the electricity transmission network under the RMA (Objective 1). Policy 10 of the NPSET directs that decision-makers must, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the National Grid and to ensure that operation, maintenance, upgrading and development of the electricity transmission network is not compromised. Further, Policy 11 of the NPSET directs local authorities to consult with the operator of the National Grid to identify an appropriate buffer corridor within which 'sensitive activities'³ will generally not be provided for in plans.

3.4 Kāinga Ora seeks that the final PDP provisions which seek to manage sensitive activities in proximity to the electricity transmission and distribution network give effect to this policy direction.

4. RECOMMENDATIONS BY SECTION 42A REPORT AND RESPONSE

4.1 The evidence below is structured around the key headings in the three Section 42A Reports first noting the points of agreement. There are

³ NPSET definition of sensitive activity: includes schools, residential buildings and hospitals.

many recommendations in the Section 42A Reports that are consistent with my opinion and conclusions. Therefore, my evidence is largely focused on those matters where I disagree with the recommendations of the Section 42A author. I also address points where I agree with the Section 42A Report recommendations where I consider it helpful to the Panel.

EARTHWORKS

- 4.2 Kāinga Ora have sought amendments to the EW rules on the basis that the low thresholds in terms of volumes, setbacks and cut and fill depths (as notified) may require unnecessary consents for the majority of typical residential developments. This is particularly, given an erosion and sediment control plan would already be required by the building consent process, resulting in a duplication of process. Earthworks are a normal and necessary component of every residential site development, its effects well-understood, and entirely capable of being managed (within limits) by appropriate permitted activity standards.
- 4.3 The evidence below is structured around the key headings in the Section 42A Report.

7.10 EW -R9 Earthworks Stockpiling

- 4.4 Kāinga Ora [s325.138] sought to amend EW-R9, as it would require typical residential developments to apply for unnecessary resource consents for stockpiling of low quantities of earthworks, particularly when dust is also managed under the Canterbury Air Regional Plan - Rule 7.32.
- 4.5 I do not accept all of Mr Wilson's explanation/clarification for rejecting the change to EW-R9. While I agree that this rule manages a wider range of potential effects that arise from earthworks stockpiling and not just discharges to air, I consider that the 100m setback for a stockpile from sensitive activities (ie: residential activities) is not practicable in a residential environment.
- 4.6 I accept Mr Wilson's point that the limit of 250m³ to 4m high with regards to the size of a stockpile in clause 2 of this rule easily provides for most

residential developments and is unlikely to trigger unnecessary consents.

- 4.7 However, as currently drafted, I consider that clause 4 of EW-R9 would require any stockpile regardless of its size/scale to be located 100m from the nearest sensitive activity. In a typical residential environment, this is not possible due to the dimensions of sections and would require most dwellings to obtain an earthworks consent. In my opinion, EW-R9 clause 4 would benefit redrafting so that any stockpile exceeding the volume or height in Clause 2 (250m³ to 4m high) would require at least a 100m setback, enabling smaller scale stockpiles for typical residential development within 100m. Amended wording is provided in **Appendix 2**.

8.1 EW:S2 General Setbacks

- 4.8 The Kāinga Ora submission (s325.140) considers that EW-S2 will place unnecessary consent requirements for relatively minor earthworks where located within 2m of a site boundary. The submission requested the deletion of EW-S2, however this relief has been rejected in the Section 42A Report. Mr Wilson's reasons for rejecting the relief sought by Kāinga Ora and similar relief sought by other submitters, is that:

“earthworks may be able to be undertaken up to a boundary without effect, but that the risk of land stability, water ponding and amenity issues arising from earthworks that exceed the 300mm and 2m threshold is such that this should be tested through a consent application. For instance, the risk of stormwater displacement increases if there is a height differential at the property boundary, and I consider that this risk is more appropriately managed through a consent. The amendments the submitter seeks would result in the rule failing to achieve the objectives and policies, particularly EW-P1(5) and (6), and as such I cannot recommend it”.

- 4.9 Based on my experience processing residential consents at Christchurch City Council, I support the intent of the Kāinga Ora relief to avoid unnecessary consents for residential and other anticipated activities. I note that in residential zones (for example the GRZ and

MRZ) new dwellings and accessory buildings are permitted by the built form standards within the 2m setback proposed in EW-S2. It is not uncommon for dwellings to be setback 1 – 1.8m from boundaries or for accessory buildings to be located up to the boundary. The 2m setback for earthworks greater than 300mm would result in the foundations for most dwellings and accessory buildings within this area requiring resource consents for earthworks only. This, in my opinion, is unnecessary duplication of matters which will be considered during the building consent application for a dwelling (or other building) including any foundations within the 2m setback, which will include consideration of stormwater drainage and erosion and sediment control.

- 4.10 The concept of exempting or permitting earthworks where a building consent has been granted is raised in MainPower’s submission (s249.25). I note that a similar approach is taken in the Christchurch District Plan where the following exemption is provided within the Earthworks Chapter: *“Any earthworks subject to an approved building consent where they occur wholly within the footprint of the building. For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the wall. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site”*.⁴ The Proposed Selwyn District Plan provides a similar exemption in EW-R1.
- 4.11 Given the above, I support the approach proposed by MainPower and as an alternative to deleting EW-S2 in its entirety, suggest amendments to exempt earthworks that are or will be the subject of a building consent. This will avoid the cost of resource consents for smaller scale earthworks associated with activities that are permitted under other zone rules and standards. Amended wording is contained in **Appendix 2**. Any works not covered by a building consent would still be able to be considered to address the effects described by Mr Wilson above.

⁴ Christchurch District Plan, Chapter 8 Earthworks – clause 8.9.3.

EW-S3 Setback from water bodies

- 4.12 The Kāinga Ora submission (s325.141) is generally supportive of setbacks where earthworks are in close proximity to water bodies to manage erosion and sediment runoff. However, Kāinga Ora considers the proposed blanket setback of 20m in EW-S3 to all waterbodies is excessive for urban environments and should only apply to scheduled freshwater bodies (ie: NATC 1 – 3).
- 4.13 Mr Wilson rejects the relief on the basis that the waterbodies scheduled in NATC 1 – 3 still contain urban waterways (eg: the Cam River – NATC-3) and that the earthworks setback in EW-S3 manages different effects to the Natural Character Chapter setback rules. Further he considers that *“the environmental effects of sediment and contaminant loss from earthworks apply regardless of freshwater body size, and if anything, sedimentation of smaller freshwater bodies may have a greater proportionate effect”*.
- 4.14 I agree with the relief sought by Kāinga Ora that a blanket 20m setback for any type of freshwater body is not appropriate, particularly for ‘unscheduled’ water bodies that are not mapped in the PDP or Council GIS system. I note there is no detailed expert assessment in the Section 32 or Section 42A Reports to justify the requirement for a 20m setback for earthworks from all types of waterbodies. Further, rule 5.1.6.8: *‘The use of land for earthworks outside the bed of a river or lake or adjacent to a wetland boundary’* of the Canterbury Land and Water Regional Plan (CLWRP) specifies much smaller setbacks for earthworks of between 5m and 10m depending on whether the land is ‘high country land’ or ‘high erosion risk’. I do not understand Mr Wilson’s explanation in paragraph 331 as to why it is appropriate to have more stringent rules than the CLWRP and why better consistency with the CLWRP cannot be achieved, particularly in relation to urban waterways on flat/non-erosion prone land.
- 4.15 In terms of a regionally consistent approach, I note that the rules in relation to waterways in the Christchurch District Plan (Chapter 6.6 Water Body Setbacks) do not have a blanket earthwork setback rule and instead adopt a tiered setback approach, depending on the

classification of the waterway. For example, a 30m setback applies from a downstream river, where as a 5m setback applies to a network utility waterway. This plan also uses the same setbacks for natural character considerations as earthworks. The Proposed Selwyn District Plan also includes a two-tiered setback approach in residential and commercial zones of a 20m setback for NATC-S1 and 10m for all other waterways. The PDP setbacks proposed here are more stringent than those in Christchurch and Selwyn for lower classifications of waterway, which does not assist in achieving consistency across district boundaries in relation to the same issues.

- 4.16 I consider that the 20m setback proposed in EW-S3 should only apply to NATC-1 water bodies, that a 10m setback should apply to NATC-2 water bodies and that a 5m setback should apply to NATC-3 and unscheduled waterbodies. Recommended amendments are contained in **Appendix 2**.

ENERGY AND INFRASTRUCTURE

- 4.17 The Kāinga Ora submissions on this chapter focus on (but are not limited to) transmission and distribution line infrastructure and, as noted above, generally promote consistency with the NPSET in relation to the National Grid. However, the submissions oppose mapping of overlays or protection corridors and rules for major electricity distribution lines not associated with the National Grid, noting that amendments are sought, and consequential amendments may be required in the PDP (including in relation to Stream 7 and 8 matters). It is the view of Kāinga Ora that the NPSET does not apply and/or give the same legal effect to major electricity distribution lines other than those forming part of the National Grid, and so a different approach is mandated in relation to that infrastructure.
- 4.18 The submission points also cover provisions relating to the adverse effects of energy and infrastructure and effects of other activities and development on energy and infrastructure including reverse sensitivity. Kāinga Ora seek provisions which manage sensitive activities, but not in an overly restrictive way. The submission seeks that a management framework be incorporated within the PDP that imposes no more

restriction on the use and development of urban land than is absolutely necessary to manage potential risks or adverse effects. Kāinga Ora also consider that there should be an onus on infrastructure providers to mitigate as fully as practicable the effects of infrastructure at-source.

- 4.19 The above points relating to the NPSET and the management of sensitive activities adjoining transmission and distribution lines are consistent with the Kāinga Ora national approach to plan reviews and changes, noting that the Kāinga Ora interest primarily relates to urban rather than rural land. However, I note that the location of the National Grid in the Waimakariri District is at the outer northwest urban edge of Rangiora and that only approximately 52 existing residentially zoned sites are within the National Grid corridor. The National Grid corridor will also affect a small area of proposed large lot residential zone under the PDP. Further, the major distribution lines (33kV and 66kV) mapped in the Plan that form part of MainPower's network only reach the outskirts of urban Rangiora (affecting few properties) and do not traverse large areas of residentially or commercially zoned land. This is shown on the PDP planning map in **Figure 1** below where the National Grid is shown in black and major distribution lines are shown in bolded grey.

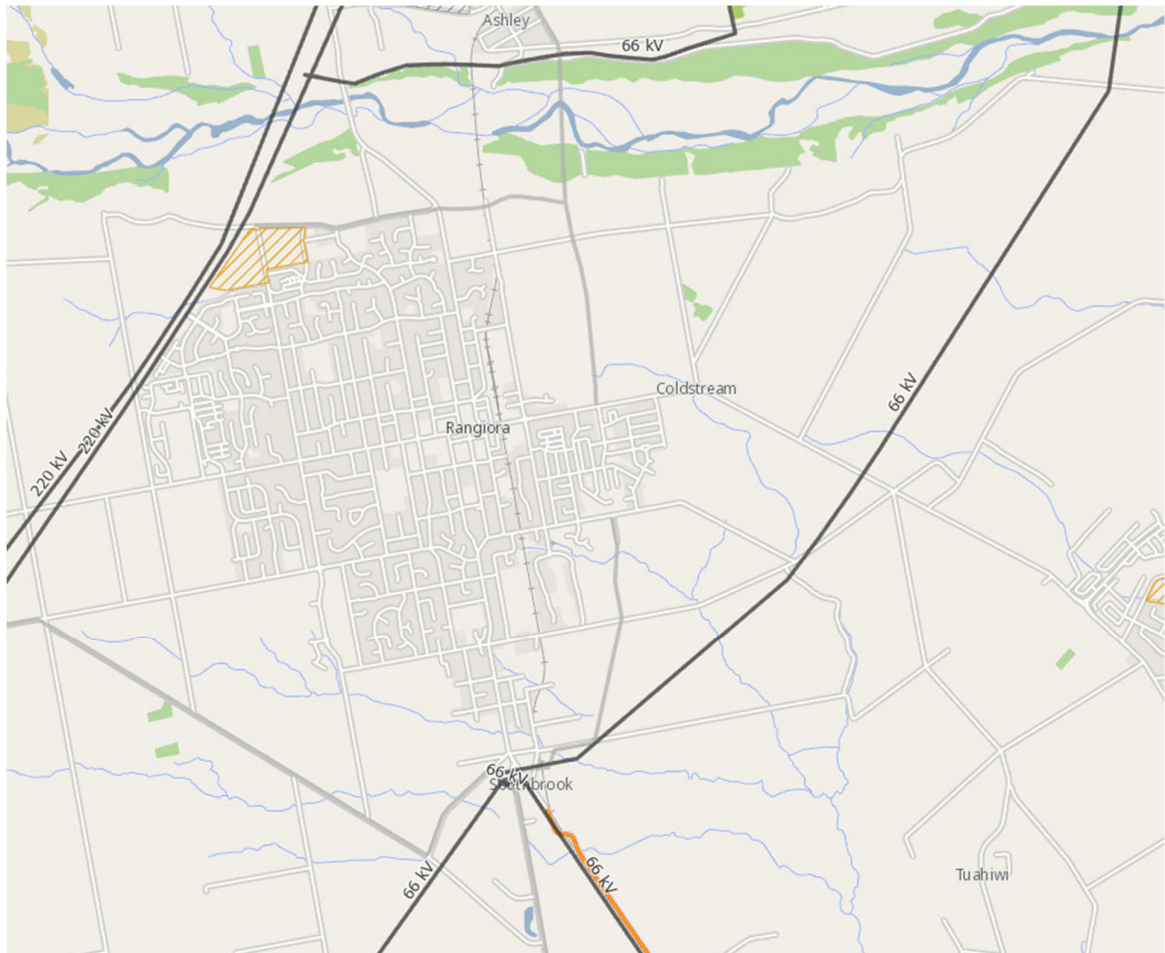


Figure 1: PDP Planning Map – Energy and Infrastructure (National Grid and Major Electric Distribution lines)

- 4.20 For these reasons, a more nuanced / local approach to the framework is appropriate. In other circumstances, where the National Grid or major distribution lines traverse urban areas where there is greater prevalence of developed land and heightened pressure for further intensification of these underbuilt areas, Kāinga Ora considers further refinement of the approach is required; for example, by applying a variable buffer that more specifically examines span lengths between poles/towers to account for variations in sway/swing of the lines in urban locations.
- 4.21 Having reviewed the Energy and Infrastructure Section 42A report, I generally support the analysis and recommendations made by the Section 42A Officer in relation to the National Grid provisions. The evidence below is structured around the key headings in the Section 42A Report.

4.22 I turn now to focus on matters within the Infrastructure and Energy chapter of the PDP that have been raised in submissions by Kāinga Ora where specific amendments continue to be sought and/or further commentary is considered helpful, including:

- (a) Reverse sensitivity as addressed in the objective and policy provisions, and
- (b) Spatial mapping of overlays or protection corridors for major electricity distribution lines (not part of the National Grid).

Objective EI-O3 Effects of other activities and development on energy and infrastructure

4.23 Kāinga Ora generally supports this objective but suggests additional wording to note that sometimes there are constraints for network utilities, and infrastructure such as existing sensitive activities or heritage or environmental constraints where infrastructure providers need to manage effects as much as practicable at-source. In relation to EI-O3, Kāinga Ora seek the inclusion of the word ‘unreasonably’ in front of the word constrained and to delete the specific reference to ‘reverse sensitivity effects’⁵, noting that reverse sensitivity effects are just one type of effect or constraint on infrastructure that are captured by the wider wording of the objective and do not need to be singled out or elevated above the other effects.

4.24 At paragraph 101, the Section 42A report by Mr MacLennan rejects the Kāinga Ora relief stating that reverse sensitivity is a constraint faced by many types of infrastructure not just the National Grid and that the relief is not consistent with the provisions of Chapters 5 and 6 of the Canterbury Regional Policy Statement (RPS) as these do not require consideration of whether the reverse sensitivity effects are reasonable or not.

⁵ Reverse sensitivity relates to the potential for an incoming activity (e.g. residential) which is sensitive to effects generated by an existing lawful activity (e.g. an infrastructure network) to complain, resulting in restrictions or limitations on that existing activity. The mere presence of adverse effects on neighbours (or, for that matter, complaints in the absence of adverse effects) does not necessarily produce reverse sensitivity effects. It is the potential for restrictions or limitations the operation of the existing lawfully established activity as a result of those complaints that represents the effect.

- 4.25 Firstly, I consider the Section 42A Officer has misunderstood the submission point. The submission point not only relates to reverse sensitivity or incompatible activities in relation to the National Grid but is a comment relevant to all infrastructure covered by this Chapter. I agree that the RPS provisions include a range of 'regionally significant infrastructure⁶' that is appropriate for EI-O3 to cover. It is not suggested that the focus of EI-O3 be narrowed to electricity transmission and distribution only.
- 4.26 Secondly, in my view, the NPSET, the RPS (the relevant provisions are set out in full in **Appendix 3**) and the PDP Strategic Directions provisions require an evaluation of whether an activity would be incompatible with infrastructure and as such would 'unreasonably' constrain the infrastructure and should therefore be avoided (or if at the lesser end of the effects spectrum requires management or mitigation). The language used within the RPS does not require all adverse effects on infrastructure (once they are established by evidence to exist) to be 'avoided' and acknowledges that there are circumstances where avoidance may not be practicable. Further, there are some instances (eg: heritage, cultural or natural values) that may require new infrastructure to be constrained or mitigate its effects where the higher order documents require that the values of particularly sensitive environments are protected. This would be an example of a reasonable constraint on infrastructure. I therefore support the inclusion of the word 'unreasonably' as sought by Kāinga Ora.
- 4.27 Thirdly, in relation to the request to remove 'reverse sensitivity' from EI-O3, the RPS directs that adverse effects on regionally significant infrastructure from incompatible/ sensitive activities are to be avoided, remedied or mitigated depending on the circumstances of the case. There are a range of scenarios in which subdivision, development and activities may be incompatible with infrastructure including those that

⁶ Regionally Significant Infrastructure: means: 1. strategic land transport network and arterial roads; 2. commercial maritime facilities at Kaikoura; 3. telecommunication and radiocommunication facilities; 4. national, regional and local renewable electricity generation activities of any scale; 5. the electricity transmission and distribution network; 6. sewage collection, treatment and disposal networks; 7. community land drainage infrastructure; 8. community potable water systems; 9. established community-scale irrigation and stockwater infrastructure; 10. transport hubs; 11. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; and 12. strategic infrastructure.

adversely affect the efficient operation of the network by physically obstructing the network, or placing too much pressure on the operating capacity, or restricting the ability for upgrades and maintenance to occur as access to the infrastructure is constrained. None of these are reverse sensitivity effects and none of these get a direct mention in the objective.

- 4.28 In relation to the RPS, while I agree the provisions cover the concept of reverse sensitivity effects as one potential effect that could constrain infrastructure, the RPS does not always refer directly to 'reverse sensitivity' but also to 'adverse effects resulting from development on infrastructure'⁷ and to 'incompatible activities'/ 'land use compatibility'. I consider that these latter descriptions more accurately reflect the full intent of the activities in the paragraph above and the higher order provisions. The objective could be amended to more clearly address reverse sensitivity by instead reframing the issue as one of 'incompatible activities'/ 'land use compatibility' near existing infrastructure. The question being, is the proposed activity compatible with the adjoining infrastructure?
- 4.29 In my opinion, the text within the RPS infrastructure objectives and policies (5.2.1, 5.2.2, 5.2.3, 6.2.1 and 6.3.5) does not explicitly elevate reverse sensitivity effects over these other adverse effects that may render activities incompatible with infrastructure. I acknowledge that reverse sensitivity effects are an adverse effect that should be appropriately managed in instances where they are likely to constrain the ability of existing infrastructure to operate, and be maintained and upgraded, and that RPS framework is clear that this is one effect that should be managed.
- 4.30 However, I consider the issue can be more clearly reframed as discussed above and do not agree that this adverse effect, in and of itself, warrants explicit reference within EI-O3 above other examples of what constitutes incompatible activities. I support the Kāinga Ora submission seeking the deletion of reverse sensitivity effects from EI-O3, as the objective is about all adverse effects on infrastructure, not

⁷ RPS Objective 5.2.2 (2) (a)

just reverse sensitivity effects. The relief sought by Kāinga Ora is contained in **Appendix 2**.

Policy EI-P1 Recognising the benefits of, and providing for, energy and infrastructure

- 4.31 Kāinga Ora sought two amendments to this policy that have been rejected in the Section 42A Report. Having read the reasons provided in paragraph 115 of the S42A Report, I agree with Mr MacLennan that the first of the changes sought, the removal of *‘more than minor or significant’* from clause 2, is not required. If the above phrase were removed, it would essentially result in duplication of clause 1. I accept that the two clauses are intended to cover different scales of work, one for day-to-day operations including maintenance and minor upgrades (enabling these) and the other for providing for more than minor or significant upgrades and new infrastructure.
- 4.32 I consider the second change sought is required to provide clarification that EI-P1 only applies to ‘major electricity distribution lines’ on the MainPower network that are shown on the PDP planning maps and not all distribution lines. Amended wording is provided in **Appendix 2**.

Policy EI-P4 Environmentally sustainable outcomes

- 4.33 Two changes were sought to policy EI-P4 by Kāinga Ora, firstly to remove reference to ‘seek’ from the beginning of the policy and to replace this with ‘promote’ and secondly to delete the reference to Homestar and Green Star ratings in clause 8.
- 4.34 I agree with the Section 42A Report that has amended the policy as notified so that it now requires decision-makers to ‘Encourage’ more environmentally sustainable outcomes. I accept that this change has the same meaning as ‘promote’ as requested by Kāinga Ora and is consistent with the wording of SD-O3(4).
- 4.35 In relation to Home Star and Green Star ratings, the relief sought to delete clause 8 has been rejected by Mr MacLennan as he considers that the drafting of the policy is not directive (ie: does not need to be achieved) and is aspirational. While I agree with Mr MacLennan that the

policy is aspirational, I consider that, as it relates to a non-statutory and voluntary assessment tool, and that it begins to overlap with matters considered as part of the building consent process, it is not appropriate to include reference to those ratings within the objective. I support the deletion of clause 8 and consider that Policy EI-05 still encourages environmentally sustainable outcomes in terms of energy and infrastructure without it. I also note that clause 8 does not directly give rise to any methods or rules within the EI Chapter. If the reference to Homestar and Green star rating is to remain in the PDP, then I consider it would be better located in the commercial and residential chapters.

Policy EI-P5 Manage adverse effects of energy and infrastructure

4.36 Kāinga Ora supports objective EI-P5 in its submission with minor amendments to better link back to the intent of Objective EI-O2 and to remove the words ‘more than minor’ from clause (2).

4.37 The first change sought by Kāinga Ora but rejected by the S42A officer is as follows:

“Manage adverse effects of energy and infrastructure on surrounding environments and community well-being, including by the following:”

4.38 Mr MacLennan’s reasons in paragraph 157 of the section 42A report state: *“I consider that clauses (1) to (7) within the policy set out the manner in which the adverse effects of energy and infrastructure will be managed, and the suggested addition to the chapeau is not required”*. I disagree, as it is clear from EI-O2 that effects on the *“characteristics of surrounding environments and community well-being are to be avoided remedied or mitigated”*. As currently drafted in the Section 42A Report, I consider the policy in points 1 – 7 adequately covers environmental characteristics (for example ONLs and SNAs) but only requires consideration of ‘community well-being’ in clause 2. I support the Kāinga Ora relief and consider that effects on community well-being are an overarching consideration in relation to clauses 1 to 7 of policy EI-O5.

4.39 In relation to the second change, having read the reasons provided in paragraph 157 of the Section 42A Report rejecting the Kāinga Ora

submission to remove 'more than minor', I accept the revised wording provided within the Section 42A Report, for the reasons stated above in relation to Policy EI - P1.

- 4.40 I also support the addition of clause 3A to policy EI-P5: *“using major upgrades to existing energy and infrastructure as an opportunity to reduce existing adverse effects where appropriate to do so”* and agree with the Section 42A officer that using major upgrades to reducing adverse effects is appropriate. This also aligns with the Kāinga Ora preferred approach that the effects of infrastructure should be mitigated at-source as far as practicable.

Policy EI-P6 Effects of other activities and development on energy and infrastructure (and related rules EI-R54 and EI-R56).

- 4.41 In relation to EI-P6, Kāinga Ora acknowledges the requirement to give effect to the NPSET and agrees with proposed policy provisions relating to the National Grid. However, it considers this same approach is not applicable to electricity distribution lines other than those identified to be the National Grid. The submissions oppose the mapping of overlays or protection corridors and rules for major electricity distribution lines not associated with the National Grid. It is the view of Kāinga Ora that the NPSET does not apply and/or give the same legal effect to major distribution lines other than those that are part of the National Grid. I agree with the Kāinga Ora position on this, for the reasons elaborated on below.
- 4.42 The Section 42A report has rejected the relief sought by Kāinga Ora seeking to delete the references to major distribution lines within EI-P6 and has instead recommended including new specific clauses for major electricity distribution lines separately from those covering the National Grid. This in my view essentially elevates the major distribution lines to the same level as the National Grid within the PDP framework.
- 4.43 The reasons provided by Mr MacLennan in paragraphs 171 – 173 of the Section 42A Report for rejecting the Kāinga Ora submission are that 'major distribution lines' are included within the definition of 'regionally significant infrastructure' and are covered in RPS policy 5.3.9(1) and

policy 6.3.5(5). He considers the deletion of 'major distribution lines' would be inconsistent with the RPS. He goes on to conclude:

"I also note that major electricity distribution lines are mapped within the Proposed Plan and there are rules within the Proposed Plan that manage activities in proximity to major electricity distribution lines. Therefore, I consider it is important that there is policy support for these provisions".

- 4.44 I agree with Mr MacLennan that 'major electricity distribution lines' are covered by the definition of 'regionally significant infrastructure' and that the relevant RPS objectives and policies also seek to manage effects of incompatible activities on these types of lines. Accordingly, I accept that deleting major distribution lines entirely from consideration under this policy would not be consistent with the RPS. However, I do not agree that the policy needs to elevate them to the same level as the National Grid, nor that the same package of or type of provisions should apply to them.
- 4.45 Given the above, the full extent of the relief sought in the primary submission by Kāinga Ora to delete 'major distribution lines' from planning maps is no longer pursued and an alternative is proposed.
- 4.46 I understand the Kāinga Ora concern about the additional regulation that would apply to land subject to setback rules for 'major distribution lines' and elevating these lines to the same place in a hierarchy as the National Grid. I also question whether identifying setbacks as proposed in this policy is the most effective and efficient way to provide for major distribution lines within the PDP, particularly when compliance with the New Zealand Electrical Code of Practice for Safe Electrical Distance (**NZEC 34:2001**) is required in any event. Therefore, beyond mapping and objective and policy recognition, I do not consider any setbacks are required in the PDP for major electrical distribution lines. Amended relief is sought in relation to EI-O6 allowing mapping to remain in the PDP for information purposes (without a protection corridor being mapped as accepted in paragraph 541 of the Section 42A Report) to alert people reviewing the maps to their location. The EI Chapter can then simply refer readers to NZEC 34:2001 in regard to these types of

distribution lines. Amended wording for policy EI-P6 is provided in **Appendix 2**.

- 4.47 Rules EI-R54 and EI-R56 relating to major distribution lines stem from policy EI-P6 and as currently drafted are essentially a duplication of NZECP 34:2001. They require compliance with both the setbacks specified in the rules and the NZECP 34:2001. There is no analysis contained within the S32 or S42A reports of the costs and benefits of the duplication between the PDP rules and NZECP 34:2001. It appears that unnecessary time and cost would be spent if a resource consent were required for a non-complying activity for not meeting NZECP 34:2001 when approval would also be required from MainPower via a separate process. For the above reasons, I support the Kāinga Ora request to delete these rules.

EI-R51 Activities and development (other than earthworks) within a National Grid Yard

- 4.48 Kāinga Ora sought minor changes in relation to EI-R51 to remove setback distances for non-sensitive activities such as fences (6m) and floor area restrictions (10m²) for non-habitable buildings within the National Grid Yard. Overall, I note that Kāinga Ora support the National Grid Yard setback for 'sensitive activities'. The submission also queried the non-complying activity status where fences and non-sensitive activities did not meet the setback noting that seemed unreasonable. The Section 42A Report has removed the requirements in respect of the size of non-habitable buildings in response to Transpower's submission and I support this amendment. The Officer has rejected the deletion of the 6m setback for fences less than 2.5m high within the National Grid Yard, stating this would be inconsistent with other District Plans in the Region (para 396). They have not provided a view on the appropriateness of non-complying status for 'non-sensitive' activities within the required setback.
- 4.49 As drafted, EI-R51 requires that where an activity is not a sensitive activity (clause 1), buildings and structures including fences not more than 2.5m high must comply with NZECP 34:2001 (clause 2) and secondly that such fences shall be setback a minimum of 6m from the

outer visible edge of a foundation of a National Grid support structure (clause 3). I note that the NZECP 34:2001 specifies a different setback of 6m – 12m for structures (other than conductive fences) depending on the voltage of the line and whether the support structure is a pole or a tower.

- 4.50 I do not understand the rationale for specifying a setback in the rule that is inconsistent with NZECP 34:2001 nor can I find any evidence providing reasons for this. This could result in a 2m high fence adjacent to a 66kV pole complying with the 6m setback specified in clause 3 of EI-R51, but not with the 8m setback in the Electrical Code in clause 2. This example would require consent as a non-complying activity from Council and approval from Transpower under NZECP 34:2001. This seems an unnecessary duplication of process and I question the need for the rule to refer to anything other than NZECP 34:2001. Due to the lack of evidence to show otherwise and the unnecessary duplication of process, I support deletion of the 6m fence setback and instead consider that reliance on NZECP 34:2001 alone is more appropriate.
- 4.51 If the rule is to remain, I consider a more appropriate activity status for fences and other non-sensitive activities in breach of the setbacks in EI-R51 would be restricted discretionary 'Sensitive activities' within the setback such as residents' units have a non-complying status. Fences and other non-sensitive activities do not give rise to the same concerns in relation to electrical safety, and so a lesser activity status (which still required the adverse effects of the non-compliance to be managed) is appropriate.

EI-R54 Earthworks adjacent to a 66kV or 33kV electricity distribution line; and

EI-R56 Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV electricity distribution line

- 4.52 As noted above, Kāinga Ora seeks the deletion of these rules (EI-R54 and EI-R56) in relation to its overall submission point opposing the mapping of protection corridors and setbacks for 'major electricity

distribution lines'. The Section 42A Report rejects Kāinga Ora relief to delete the rules.

- 4.53 Further to my views above (paragraphs 4.46 and 4.47) about unnecessary duplication of NZECP 34:2001 and associated costs, I have also identified subtle differences between the setbacks proposed in the PDP rules and sought in submissions and those specified in NZECP 34:2001. For example, the NZECP 34:2001 specifies that buildings shall be setback 9m (tower) and 6m (pole) from the closest visible edge of an overhead electric line support foundation, whereas EI-R56(1)(a) requires buildings to be setback 6m from the centre line of a major electricity distribution line or within 6m of the foundation of a pole, pi-pole or tower.
- 4.54 There is no technical evidence within the Section 32 or Section 42A Reports or submissions to support why the specific setback distances for earthworks, fences, non-habitable and sensitive activities proposed in EI-54 and EI-56 are required from 'main distribution lines'. This is particularly the case where these distances deviate from NZECP 34:2001. The MainPower submission asserts that NZECP 34:2001 does not provide sufficient protection from earthworks activities interfering with the support structures for major distribution lines, but does not provide any evidence that establishes the significance of the potential adverse effects and the setback required to manage that.
- 4.55 In respect of the above, I do not consider there is an ability to assess in Section 32 terms whether there is a basis for imposing controls without, as a starting point, the information in paragraphs 4.53 and 4.54 above. I support the Kāinga Ora request to delete these rules and instead rely on the processes already established under NZECP 34:2001.

Planning Maps

- 4.56 The overall submission point by Kāinga Ora opposing mapping of protection corridors has been adopted by the S42A officer in response to Transpower's submission instead only mapping the lines themselves and relying on the setbacks contained within rules EI-R54 – EI-R56. I

support the removal of the corridor from the maps, but as per the above not the setbacks in the rule.

- 4.57 MainPower's submission (s249.112) relating to planning maps is covered in paragraph 542 of the Section 42A Report. The submission seeks that a more distinct colour be used for the mapping of major electricity distribution lines as the pale grey currently used is not clear/easily identifiable. Mr MacLennan disagrees that a change is necessary. I support the MainPower submission that a more distinct colour is required. My first attempt to find the mapping of these lines in the PDP was unsuccessful. It was only when I turned off the aerial photograph layer (which comes up as a default) and the zone layers of the map that they became visible, but not obvious. This is evident in **Figure 1** above. Having clear mapping of the major distribution lines would assist with MainPower's concerns about the lines and the setbacks required by the Code of Practice being missed.

TRANSPORT

- 4.58 Overall, Kāinga Ora considers that some provisions within the PDP Transport Chapter are overly onerous for residential development and seeks that the PDP provisions are more enabling of residential development. Amendments are sought to this chapter to ensure that the PDP appropriately responds to the National Policy Statement on Urban Development (**NPSUD**) requirements and achieves a balance between enabling residential development to cater for growth while ensuring certainty of outcomes in respect of accessible and safe transport networks. The NPSUD promotes accessibility for all people between housing, jobs, services and amenities, with a focus on public or active transport (Policy 1(d)). There is a focus on reducing greenhouse gas emissions with the setting of carparking minimum requirements now prohibited (Policies 1(e) and 11(a)).
- 4.59 Having reviewed the Transport Section 42A report, I generally support the recommendations by the reporting officer Mr MacLennan on the matters covered within this evidence. My evidence below covers the transport objectives and policies and is structured around the key headings in the Section 42A Report. The evidence of Ms Lisa Williams

covers the technical aspects of the transport rules. I accept Ms Williams' advice and her suggested relief in relation to rules is included in my **Appendix 2** below.

5.3 Objective TRAN-O2: Parking, loading area and associated access and manoeuvring area

- 4.60 Kāinga Ora seeks the removal of the reference to 'parking demand' in TRAN-O2 to better reflect the requirements of the NPSUD. Mr MacLennan does not consider the amendment necessary and has rejected this relief. He notes that while the Proposed Plan (required by the NPSUD) removes minimum car parking rate requirements set by Council, it does not preclude the provision of car parking. The lack of minimum standards results in the number of car parks provided being market driven.
- 4.61 Given that minimum parking standards have been removed from the PDP and are now prohibited by the NPSUD, I do not consider that in zone or anticipated activities need to be assessed for whether they cater for parking demand. Further, there are no rules or methods that stem from this part of the objective. I agree with Kāinga Ora that 'parking demand' should be removed from TRAN-O2 and support relief sought, the wording of which is provided in **Appendix 2**.

5.5 Objective TRAN-O4: Effects of activities on the transport system; and

6.9 Policy TRAN-P15: Effects of activities on the transport system

- 4.62 Kāinga Ora (s325.67) seeks deletion of the word "avoided" from TRAN-O4, as they consider the supporting provisions (policies, methods and rules) adequately manage adverse effects. Further, Kāinga Ora (s325.79) seek similar amendments to related policy TRAN-P15 to reflect those in TRAN-O4. Specifically, they seek amendments to Clause (2) which remove reference to "avoiding, remedying or mitigating" and instead insert "managing". They consider the provisions which follow support the policy direction of managing adverse effects.

- 4.63 Mr MacLennan having examined the relevant RPS provisions in his paragraphs 87 - 90 rejects the relief as it is inconsistent with the language used in the higher order document and noting that the wording in TRAN-P15 is less directive than in the objective. I agree with Mr MacLennan to the extent that the RPS uses the term 'avoid' in relation to such effects along with other terms such as 'manage', 'remedy' or 'mitigate'.
- 4.64 However, I note that TRAN-O4 and TRAN-P15 cover the same issues raised in EI-O3 and EI-P6 discussed above, but in relation to the transport system. The Energy and Infrastructure objective and policy frame the issue up differently and do use the term 'manage' in relation to adverse effects. EI-O3 and EI-P6 are consistent with SD-O3 'Energy and Infrastructure' and UDF-P10 'Managing reverse sensitivity effects' whereas TRAN -O4 and TRAN-P15 in my view are not.
- 4.65 Given the Transport Chapter is required to give effect to SD-O3 and UDF-P10, and the commonality between the TRAN and EI provisions, they should be consistently drafted. Amended wording is provided in **Appendix 2**.

6.3 Policy TRAN-P2: Environmentally sustainable outcomes

- 4.66 Kāinga Ora (s325.76) seeks that the wording of TRAN-P2 is changed to 'Promote' environmentally sustainable outcomes rather than 'Seek' them. To reflect the intent of the relevant RPS policy, Mr MacLennan has accepted this amendment. I note that the EI Chapter contains a similarly worded policy for environmentally sustainable outcomes which I have discussed above. In that instance Mr MacLennan has used the word 'Encourage' rather than 'Promote', either of which in my view meet the Kāinga Ora relief. To achieve consistency in language, 'encourage' could also be used in TRAN-P2.

5. SUMMARY OF PROPOSED WORDING CHANGES SOUGHT

- 5.1 The proposed additional changes sought by Kāinga Ora are included in **Appendix 2** of my evidence. I can confirm that the version of relief in my evidence represents the full "updated" set of relief requested by

Kāinga Ora in relation to these hearing topics. Other than the specific additional changes sought by Kāinga Ora and set out in this evidence and **Appendix 2**, I support the wording as recommended by the reporting officer in the Section 42A report.

6. CONCLUSION

- 6.1 Overall, I generally support the revisions to the Energy and Infrastructure, Transport, and Earthworks chapters made in the respective Section 42A Reports.
- 6.2 I am of the opinion that the amendments sought by Kāinga Ora (as discussed in this evidence) are appropriate and will assist in striking the balance between competing outcomes of providing for development of regionally significant infrastructure, urban amenity and urban intensification. The amended provisions would also improve the certainty and usability of the Energy and Infrastructure, Transport, and Earthworks sections of the PDP and enable consistent implementation by both plan users and the Council.
- 6.3 I consider that the amended provisions outlined within my evidence, will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.



Clare Dale
7 August 2023

Appendix 1: Kāinga Ora Submission Points for Stream 5 Hearing

Proposed District Plan Submissions Earthworks

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought
Part 2: District Wide Matters			
Part 2: District Wide Matters – Earthworks			
Part 2: District Wide Matters - Earthworks: Objectives and Policies			
EW-O1 EW-P1 to P6	Support	Kāinga Ora supports the objectives and policies as proposed.	<i>Retain as notified.</i>
Part 2: District Wide Matters - Earthworks: Activity Rules			
EW-P9 Earthworks and stockpiling	Support in part	Kāinga Ora seeks amendments to this rule. As drafted, it would not permit any stockpiling on a residential site if it is within 100m of a residential dwelling. This would require a number of typical residential site developments to apply for resource consent. Discharges associated with fugitive dust are more appropriately managed under the Canterbury Air regional Plan – refer Rule 7.32.	<u>Amend</u> as follows: Where: 1. EW-S1 to EW-S7 are met; 2. any stockpile shall not exceed 250m ³ and 4m in height; <u>and</u> 3. the activity shall not be located within 20m of the bank of any river or lake, 50m from the margin of any wetland.; <u>and</u> 4. <u>any stockpile is located greater than 100m from any sensitive activity on an adjoining site in different ownership.</u>
Part 2: District Wide Matters - Earthworks: Earthworks Standards			

<i>EW-S1 General standards for earthworks</i>	Support	Kāinga Ora supports the standards in Table EW-1 relating to the maximum volume or area of earthworks in any 12month period per site in the following zones: Local Centre Zone, Town Centre Zone, Neighbourhood Centre Zone, Medium Density Residential Zone, General Residential Zone and Settlement Zone	<i>Retain as notified.</i>
<i>EW-S2 General setbacks</i>	Oppose	The intent of this rule not clear and as drafted it will place unnecessary consent	Delete EW-S2

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought
		requirements for relatively minor earthworks (e.g., for foundations) if they are located within 2m of a site boundary.	
<i>EW-S3 Setbacks from water bodies</i>	Support in part	Kāinga Ora is generally supportive of setbacks where earthworks are in close proximity to water bodies. However, the setbacks proposed are considered excessive for urban environments, in particular for any unscheduled freshwater body or other water bodies. The setbacks should apply to freshwater bodies identified in NATC-SCHED1, NATC-SCHED2 or NATC-SCHED3 only. A reduction in these setbacks is sought to align with the setbacks identified in the NATC-SCHED.	Amend as follows: 1. Earthworks shall not be undertaken: a. within 20m from the bank of any stream, river <u>identified in NATC-SCHED1, NATC-SCHED2 or NATC-SCHED3</u> ; or b. within 50m of the edge of any wetland or lake.
<i>EW-S4 Setback from root protection zone</i>	Support	Kāinga Ora supports the 3m root protection area for listed notable trees	<i>Retain as notified.</i>
<i>EW-S5 Excavation and filling</i>	Support	Kāinga Ora supports the maximum height of 1.5m above ground level and maximum depth of 2m below ground level standards.	<i>Retain as notified.</i>
<i>EW-S7 Earthworks sediment control</i>	Support	Kāinga Ora supports the	<i>Retain as notified.</i>

Proposed District Plan Further Submissions Earthworks

Submitter Name and Number	Submission Point Number	Chapter/ Topic / Provision	Submission Position	Summary of Decision Sought	Kāinga Ora Response	Kāinga Ora Reasons	Decision Sought
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# 249 MainPower NZ	249.210	SUB - Wawahia whenua - Subdivision – Activity Rules	Amend	<p>Amend to add new corridor protection rule for subdivision near major electricity distribution lines; Insert a new rule:</p> <p>"SUB-RX Subdivision and Major Electricity Distribution Lines</p> <p>All zones</p> <p>Activity status: RDIS</p> <p><i>Where:</i></p> <p>1. <i>the subdivision is within 24m of the centreline of the major electricity distribution lines as shown on the planning maps and:</i></p> <p>a. <i>A building square for the principal building(s) and any building(s) for sensitive activities, is positioned at least 6m from the:</i></p> <p>i. <i>Centreline of the major electricity distribution lines as shown on the planning maps;</i></p> <p>and</p> <p>ii. <i>Foundation of any support structure of any major electricity distribution line as shown on the planning maps.</i></p> <p>Matters of discretion are restricted to:</p> <p><i>Matters of control listed in SUB-MCDX – Effects on Major Electricity Distribution Lines</i></p> <p>Notification</p> <p><i>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to MainPower New Zealand Limited, where the consent authority considers this is required, absent its written approval.</i></p> <p>Activity status when compliance with SUB-RX not achieved: NC"</p>	Oppose	Kāinga Ora oppose the inclusion of corridor protection rules.	Disallow
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Proposed District Plan Submissions Energy and Infrastructure

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested
<p>Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.</p>			
Part 2: District Wide Matters			
Part 2: District Wide Matters – Energy and Infrastructure			
Part 2: District Wide Matters - Energy and Infrastructure: Introduction			
<i>Introduction</i>	Support	Kāinga Ora supports the introduction as proposed.	<i>Retain as notified.</i>
Part 2: District Wide Matters - Energy and Infrastructure: Objectives			
EI-O1 and EI-O2	Support	Kāinga Ora supports these objectives as proposed.	<i>Retain as notified.</i>
EI-O3	Support in part	Kāinga Ora supports this objective, but suggests additional wording to note that sometimes there are constraints for network utilities, such as existing sensitive activities or heritage or environmental constraints.	<p><u>Amend</u>, as follows:</p> <p>The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not unreasonably constrained or compromised by <u>other</u> activities and development, including by reverse sensitivity effects.</p>
Part 2: District Wide Matters - Energy and Infrastructure: Policies			

EI-P1	Support in part	Kāinga Ora supports this policy with amendments.	<p><u>Amend</u>, as follows:</p> <p>Recognise the local, regional or national benefits of energy and infrastructure through:</p> <ol style="list-style-type: none"> 1. enabling the operation, maintenance, repair, renewal, removal and minor upgrade of energy and infrastructure; 2. providing for more than minor or significant upgrades to existing, and the development of new, energy and infrastructure; 3. providing for energy and infrastructure that serves as a lifeline utility during an emergency, including critical infrastructure, strategic infrastructure and regionally
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Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			significant infrastructure; 4. providing for the effective, safe, secure and efficient electricity transmission, including on the National Grid <u>transmission lines</u> , <u>major</u> electricity distribution <u>lines</u> , and supply of fuel and energy; ...
EI-P2	Support	Kāinga Ora supports the policy as proposed.	<i>Retain as notified.</i>
EI-P3	Support	Kāinga Ora supports the policy as proposed.	<i>Retain as notified.</i>
EI-P4	Oppose in part	Kāinga Ora opposes the policy with amendments as it can only be promoted and certain aspects need to be deleted as these are undertaken in a separate process.	<u>Amend</u> , as follows: Environmentally sustainable outcomes Promote <u>Seek more</u> environmentally sustainable outcomes, <u>where possible</u> associated with energy and infrastructure, including by promoting: 1. the use of green infrastructure; 2. the increased utilisation of renewable resources; 3. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4. using low carbon materials in construction; 5. changing the way activities that generate high greenhouse gas emissions are delivered; 6. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees or the establishment and restoration of wetlands; 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			renewable electricity generation; and 8. building design with a Homestar™ certification rating of at least 6 for residential buildings, or a Green Star rating of at least 4 for commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.
EI-P5	Support in part	Kāinga Ora supports the policy with amendments to link back to the objective.	<u>Amend</u> , as follows: Manage adverse effects of energy and infrastructure Manage adverse effects of energy and infrastructure <u>on surrounding environments and community well-being</u> , including by the following: <ol style="list-style-type: none"> 1. enabling or providing for the ongoing operation, maintenance, repair, renewal, removal and minor upgrade of existing energy and infrastructure; 2. avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects on: <ol style="list-style-type: none"> a. natural and physical resources; b. amenity values; c. sensitive activity; d. the safe and efficient operation of other infrastructure; e. the health, safety and well-being of people and communities; ...
EI-P6	Opposes in part	Kāinga Ora acknowledges the need for the PDP to give effect to the requirements of the National Policy Statement for Electricity	<u>Amend</u> , as follows:

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
		<p>Transmission (2008) (NPSET). However, NPSET is only applicable to the National Grid and not major electricity distribution lines. The NPSET does not apply and/or give the same legal effect to electricity distribution lines other than if it is identified to be the National Grid.</p> <p>Amendments sought and consequential amendments may be required in the PDP.</p>	<p>Effects of other activities and development on energy and infrastructure</p> <p>Manage adverse effects of other activities and development on energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and 2. with regards to the National Grid and major electricity distribution lines, in addition to (1) above, by ensuring that: <ol style="list-style-type: none"> a. safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on the National Grid and major electricity distribution lines including support structures; b. sensitive activity and development that may compromise the National Grid and major electricity distribution lines, including those associated with intensive farming activities, are excluded from establishing within identified safe buffer distances; c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair, upgrading and development of the National Grid and major electricity distribution lines; and <p>...</p>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
Part 2: General District-wide Matters: Activity Rules			
EI-R1 EI-R2 EI-R3 EI-R4 EI-R6 EI-R8 EI-R10 EI-R15 EI-R16 EI-R20	Support	Kāinga Ora supports these activity rules as proposed.	<i>Retain as notified.</i>
EI-R24 EI-R25 EI-R28	Support	Kāinga Ora supports these rules as proposed.	<i>Retain as notified.</i>
EI-R42	Support	Kāinga Ora supports the rule as proposed.	<i>Retain as notified.</i>
EI-R45	Support	Kāinga Ora supports the rule as proposed.	<i>Retain as notified.</i>
EI-R46	Support	Kāinga Ora supports the rule as proposed.	<i>Retain as notified.</i>
EI-R47	Support in part	Kāinga Ora supports the rule with amendments. Delete internal boundary reference. Further amendments are sought to the reference and title of the standard with the removal of 'internal boundary' and remain as 'setback'.	<u>Amend</u> , as follows: <i>Where:</i> <i>1. in Residential Zones, Special Purpose Zone (Kāinga Nohoanga), and Special Purpose Zone (Pines Beach and Kairaki Regeneration), new rainwater tanks shall comply with building height, road boundary and internal boundary setback requirements for the relevant zone.</i>
EI-R51	Opposes in part	Kāinga Ora opposes distance of a fence	<u>Amend</u> , as follows:

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
		<p>requirement from the nearest grid support structure as often the fences are found to be a lot closer than 6m and infringing the rule will trigger a NC activity. A fence 6m beyond a National Grid support structure could take up a significant part of a landowner's property and infringing the rule to build a fence closer to the support structure to a NC activity/consent process seems unreasonable. Amendments sought. Similar changes sought to the max floor of a new non-habitable building as this will be difficult to monitor and manage.</p> <p>Amendment sought.</p>	<p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</i> <ol style="list-style-type: none"> a. <i>network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</i> b. <i>fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</i> c. <i>artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:</i> <ol style="list-style-type: none"> i. <i>meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</i> ii. <i>is a maximum of 2.5m in height above ground level;</i> iii. <i>is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes;</i> iv. <i>allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane;</i> d. <i>any new non-habitable building less than 2.5m in</i>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			<i>height above ground level and 10m² in floor area;</i> ...
EI-R52	Support	Kāinga Ora supports these activity rules as proposed.	<i>Retain as notified.</i>
EI-R54	Oppose	<p>Kāinga Ora acknowledges the need for the PDP to give effect to the requirements of the National Policy Statement for Electricity Transmission (2008) (NPSET). However, NPSET is only applicable to the National Grid and not major electricity distribution lines.</p> <p>The proposed rule requires management of earthworks adjacent to the electricity distribution line. If this is of particular interest for electricity companies to manage in the PDP, then Kāinga Ora seeks the companies propose a designation to manage and spatially identify the properties subject to such provisions. The NPSET does not apply and/or give the same legal effect to electricity distribution lines other than if it is identified to be the National Grid.</p> <p>Amendments sought and consequential amendments may be required in the PDP.</p>	<i>Delete the entire rule and relevant standards and advice notes.</i>
EI-R55 EI-R56	Support	Kāinga Ora supports these activity rules as proposed.	<i>Retain as notified.</i>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
Part 2: General District-wide Matters: Matters of Discretion			
EI-MD1-14 (except listed below)	Support	Kāinga Ora supports the matters of discretion as proposed.	<i>Retain as notified.</i>
EI-MD4	Support in part	Kāinga Ora supports the matters of discretion with amendment.	<u>Amend</u> , as follows: Health and safety 1. The extent to which the infrastructure <u>proposed</u> will be located in close proximity to any sensitive activity, and the extent of any effect on human health.
EI-MD12	Support in part	Kāinga Ora supports the matters of discretion with amendment.	<u>Amend</u> , as follows: National Grid <ol style="list-style-type: none"> 1. The extent of any impacts on the operation, maintenance, upgrading and development of the National Grid. 2. The risk to the structural integrity of any affected National Grid support structure(s). 3. The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid. 4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Proposed District Plan Submissions Transport

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
Part 2: District Wide Matters			
Part 2: Transport			
Part 2: Transport – Objectives			
TRAN-O1	Support	Kāinga Ora generally supports the objective as proposed.	<i>Retain as notified.</i>
TRAN-O2 <i>Parking, loading area and associated access and manoeuvring area</i>	Support in part	Kāinga Ora generally supports this objective, but considers that changes are required to better reflect the requirements of the National Policy Statement on Urban Development 2020 (NPSUD). In particular, Kāinga Ora consider that the reference to “parking-demand” in clause 1 should be deleted.	<u>Amend</u> , as follows: <i>Parking, where provided, loading area and associated access and manoeuvring area that:</i> <i>caters for access, parking-demand and manoeuvring in an efficient, functional and sustainable manner...</i>
TRAN-O3	Support	Kāinga Ora generally supports the objective as proposed.	<i>Retain as notified.</i>

TRAN-04 <i>Effects of activities on the transport system</i>	Support in part	Kāinga Ora generally supports this objective, but considers that an amendment is required to clarify the application of the objective. The objective current refers to adverse effects being “avoided”. The balance of the Plan provisions that flow from this objective ultimately seek to manage these effects. Given this, the word “avoided” should be deleted	<u>Amend</u> , as follows: <i>Adverse effects on the District's transport system from activities, including reverse sensitivity, are avoided, remedied or mitigated.</i>
Part 2: Transport – Policies			

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
TRAN-P1 TRAN-P4 TRAN-P5 TRAN-P6 TRAN-P7 TRAN-P8 TRAN-P9 TRAN-P10	Support	Kāinga Ora generally supports these policies as proposed.	<i>Retain as notified.</i>
TRAN-P2	Support in part	Kāinga Ora generally supports the policy with amendments.	<u>Amend</u> , as follows: Seek more <u>Promote</u> environmentally sustainable outcomes associated with transport, including by <u>promoting</u> : <ol style="list-style-type: none"> 1. the use of public transport, active transport and sustainable forms of transport; 2. the use of green infrastructure; 3. the increased utilisation of renewable resources; 4. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 5. using low carbon materials in construction; 6. changing the way activities that generate high greenhouse gas emissions are delivered; 7. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees or the establishment and restoration of wetlands; and 8. energy efficiency and conservation practices.

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
TRAN-P11 <i>Parking and associated access and manoeuvring area</i>	Support in part	Kāinga Ora generally supports this policy, but considers that amendments are required to: a. remove references to matters that are not relevant in a land use context (clause 6); and b. clarify the application of the policy (clauses 7 and 13)	Amend , as follows: <i>Parking (where provided) and associated access and manoeuvring area shall ensure the following...</i> 6. manage adverse effects on water quality and stormwater runoff, preferably through the use of low impact stormwater management methods, including water sensitive design, and stormwater collection and attenuation of runoff; <i>7. be permanently marked and surfaced where required, and maintained to control the generation of dust, <u>or</u> excessive noise, or other nuisance;</i> 13. be designed to positively contribute to town centre amenity values and support town centre consolidation and the development of continuous street frontages within town centres, by locating parking principally within public parking areas, or by locating parking and vehicle access to the rear of sites or buildings, and not providing parking and vehicle access on individual site frontages, particularly on sites identified as having frontages to a Principal Shopping Street.
TRAN-P14 <i>Adverse effects on amenity values of adjacent activities</i>	Support in part	Kāinga Ora generally supports this policy with amendments.	Amend , as follows: <i>Ensure adverse effects of more than minor or significant upgrades to, or the development of new, transport connections and land transport infrastructure are avoided, remedied or mitigated so that the effects of the activity maintain the amenity values of adjacent activities to the extent considered reasonably practicable, whilst providing for</i>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			<i>the transport system to function efficiently and safely.</i>
TRAN-P15 <i>Effects of activities on the transport system</i>	Support in part	Kāinga Ora generally supports this policy, but considers amendments are required for the reasons outlined above for TRAN-04.	Amend , as follows: <i>Ensure, to the extent considered reasonably practicable, that other activities do not compromise the safe and efficient operation, maintenance, repair, upgrading or development of the transport system, including through:</i> 2. avoiding, remedying or mitigating managing <u>adverse reverse sensitivity effects on the transport system; and</u>
Part 2: Transport – Rules			
TRAN-R2	Support	Kāinga Ora generally supports these rules as proposed.	Retain as notified.
TRAN-R5 <i>Formation of a new vehicle crossing</i> TRAN-S3 <i>Design Standards for new vehicle crossings</i>	Support in part	TRAN-R5 provides for the establishment of new vehicle crossings which comply with the design standards in TRAN-S3 as a permitted activity. Where the standards are not met, resource consent is required as a restricted discretionary activity. Kāinga Ora supports this approach. Given the nature of the effects being considered, however, Kāinga Ora is of the view that they should all be the subject of a non-	Insert the following text in TRAN-R5 (or TRAN-S3): <u>Notification</u> <u>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant road controlling authority where the consent authority considers this is required, absent its written approval.</u>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
		notification provision.	
<i>Table TRAN-17: Minimum separation distance for vehicle crossings from road intersections</i>	Oppose	<p>Table TRAN-17 establishes minimum separation distances for vehicle crossings from road intersections.</p> <p>Kāinga Ora opposes this rule in the current form because it considers the required separation distances are too onerous. It is recommended that the Council revisit these distances and <i>propose</i> new measurements.</p> <p>Kāinga Ora seeks the review of this table and consequential amendment so that the classifications are more appropriately set to effectively manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.</p>	<u>Delete</u> Table TRAN-17
<i>TRAN-R20 All Zones High traffic generators Tables TRAN-1 and TRAN-2</i>	Oppose in part	<p>This package of provisions establishes traffic generation thresholds for the development of Integrated Traffic Assessments (Table TRAN- 1), and determines the form of ITA required (Table TRAN-2). Where the thresholds are met, and an ITA required, this requires a resource consent as a restricted discretionary activity.</p> <p>Kāinga Ora has two concerns with this</p>	<p><u>Amend</u> Table TRAN-1 as follows:</p> <p><i><u>Non-residential activities in</u> Residential Zones / Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration)</i></p> <p><u>Amend</u> Table TRAN-2 as follows:</p>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested												
			Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.												
		<p>approach:</p> <p>a. it opposes residential activities being considered as high trip generating activities. Kāinga Ora considers that the PDP should be enabling of residential development and requiring an ITA for this type of development is onerous and unnecessary. The current wording used in table 1 references zones, rather than activities. While Kāinga Ora is comfortable with this approach, an amendment to the “Residential Zones” description used in the heading is required given the relief sought in this particular submission.</p> <p>b. Table TRAN-2 requires a full ITA for restricted discretionary activities. Kāinga Ora is of the view that this is onerous and should be aligned with the ITA requirement for permitted and controlled activities; i.e. a Basic ITA</p>	<table><thead><tr><th>Activity status under all other applicable rules</th><th>Type of ITA required</th></tr></thead><tbody><tr><td>Permitted</td><td>Basic</td></tr><tr><td>Controlled</td><td>Basic</td></tr><tr><td>Restricted discretionary</td><td>Full<u>Basic</u></td></tr><tr><td>Discretionary</td><td>Full</td></tr><tr><td>Non complying</td><td>Full</td></tr></tbody></table>	Activity status under all other applicable rules	Type of ITA required	Permitted	Basic	Controlled	Basic	Restricted discretionary	Full <u>Basic</u>	Discretionary	Full	Non complying	Full
Activity status under all other applicable rules	Type of ITA required														
Permitted	Basic														
Controlled	Basic														
Restricted discretionary	Full <u>Basic</u>														
Discretionary	Full														
Non complying	Full														
Table TRAN-3 Design standards for new roads where the posted speed limit is 50km/hr or less	Oppose	Kāinga Ora opposes the rule in its current form; in particular the specified “road reserve” widths contained in the tables. These widths are excessive and wider streets/corridors create faster speed environments, which does not align with the “Living Streets” initiative of Waka Kotahi, PCC, or Kāinga Ora.	Delete Tables TRAN-3 and TRAN-4												

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested																						
			Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.																						
Table TRAN-4 Design standards for new roads where the posted speed limit is 60km/hr or above		Kāinga Ora seeks the review of these tables and consequential amendments so that the classifications are more appropriately set to effectively manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.																							
Table TRAN-7 Design standards for new vehicle accessways	Oppose in part	Table TRAN-7 establishes minimum and maximum formation width for accessways, and also identifies where passing bays are required. Kāinga Ora is concerned that the formation requirements for more than 6 residential units is overlay prescriptive and may inhibit further residential intensification. For similar reasons, Kāinga Ora oppose the mandatory passing bay requirements for development involving 1-6 residential units.	Amend Table TRAN-7 as follows: <table><tr><th>Zone</th><th>Number of Residential Units</th><th>Minimum legal width</th><th>Minimum formed width</th><th>Maximum formed width</th><th>Passing Bays</th></tr><tr><td rowspan="3">Residential...</td><td>1-3</td><td>5.54.5</td><td>3.0</td><td>4.0</td><td>Yes</td></tr><tr><td>4-60</td><td>5.55.0</td><td>43.5</td><td>6.0</td><td>Yes</td></tr><tr><td>>610+</td><td>7.06.5</td><td>5.54.5</td><td>6.0</td><td></td></tr></table>	Zone	Number of Residential Units	Minimum legal width	Minimum formed width	Maximum formed width	Passing Bays	Residential...	1-3	5.54.5	3.0	4.0	Yes	4- 60	5.55.0	43.5	6.0	Yes	>610+	7.06.5	5.54.5	6.0	
Zone	Number of Residential Units	Minimum legal width	Minimum formed width	Maximum formed width	Passing Bays																				
Residential...	1-3	5.54.5	3.0	4.0	Yes																				
	4- 60	5.55.0	43.5	6.0	Yes																				
	>610+	7.06.5	5.54.5	6.0																					

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
TRAN-R6 <i>Formation of a new vehicle accessway</i>	Oppose in part	TRAN-R6 prescribes permitted activity status for formation of new vehicle accessways. Clause 3 of the rule requires that where an accessway serves 6 or more sites, it must be designed to road standards as required in Table TRAN-3 or TRAN-4. Notwithstanding that Kāinga Ora has sought a review of these standards in submissions above, the requirement to form to road design standards for 6 or more sites is onerous and may inhibit further residential intensification.	Amend clause 3 of TRAN-R6 as follows:and 3. <i>in the circumstances specified in (a) and (b) below, a new vehicle accessway shall be designed to the standard of a new road as per <u>Table TRAN-3</u> or <u>Table TRAN-4</u>, with the applicable standard based on the posted speed limit of the road with which the accessway will connect:</i> a. — where any new vehicle accessway in Residential Zones or Rural Zones will serve six or more sites; or b. where vehicle movements on any new accessway will exceed 100 per day.
Part 2: Transport – Assessment Matters			
TRAN-MD2 <i>Maximum number of vehicle crossings</i>	Support in part	TRAN-MD2 provides assessment matters dealing with the maximum number of vehicle crossings. Clause 2 needs to be deleted, as the issue is addressed in clause 1. In addition, amendments are required to clause 4 to clarify its meaning and application. Consequential renumbering will be required.	Amend as follows: Maximum number of vehicle crossings 1. <i>The extent to which the number of vehicle crossings will adversely affect the efficient and safe operation of the road.</i> 2. The extent of any cumulative effects of the number of vehicle crossings when considered in the context of existing and future vehicle crossings in the vicinity.

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as strikethrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			3. <i>The extent to which any aspect(s) of road design or formation will mitigate adverse effects of the number of vehicle crossings.</i> 4. The extent to which any <u>Management of adverse effects on</u> existing landscaping, stormwater management or other infrastructure will be affected by the formation of vehicle crossings.
TRAN-MD3 <i>Minimum separation distance between vehicle crossings</i>	Support in part	TRAN-MD3 provides assessment matters dealing with the separation distances between vehicle crossings. Amendments are required to assessment matter 1 to clarify its meaning and application.	Amend as follows: Minimum separation distance between vehicle crossings 1. The extent to which any <u>Management of adverse effects on</u> existing landscaping or stormwater management or other infrastructure will be affected by the location of vehicle crossings.
TRAN-MD4 <i>Minimum separation distance for vehicle crossings from road intersections and pedestrian crossing facility</i>	Support in part	TRAN-MD4 provides assessment matters dealing with the separation distances between vehicle crossings and intersections. Amendments are required, as follows: a. Deletion of clause 4 as this is a matter that will be addresses via the ITA rules, where an ITA is required; b. Deletion of the reference to “future” vehicle crossings – as this cannot be determined; c. Deletion of clause 10 and incorporation into clause 3 – to avoid duplication of assessment matters. Consequential renumbering will be required.	Amend as follows: Minimum separation distance for vehicle crossings from road intersections and pedestrian crossing facility 1. <i>The extent to which conflict may be created by vehicles queuing across the vehicle crossing.</i> 2. <i>The extent to which any potential confusion between vehicles turning at the crossing or the intersection may adversely affect safety.</i> 3. <i>The extent of effects on the safety of users of all transport modes <u>and pedestrian crossing facilities.</u></i> 4. The extent to which the number and type of vehicles generated by the activity on the site will adversely

Section/Sub-section/Provision	Support/Support in Part/Oppose	Reason(s) for submission	Relief sought / decision requested Changes sought by Kāinga Ora is shown in red as striketrough for deletion and <u>underline</u> for addition. Consequential amendments may be required to give effect to the relief sought.
			<p>affect the safe and efficient use of the frontage road, particularly at times of peak traffic flows.</p> <p>5. The extent to which the speed and volume of vehicles on the road will exacerbate adverse effects of the vehicle crossing on the safety of users of all transport modes.</p> <p>6. The extent to which the geometry of the frontage road and intersections will mitigate adverse effects of the vehicle crossing.</p> <p>7. The extent to which there are present, or planned, traffic controls along the road corridor where the vehicle or pedestrian crossing is proposed.</p> <p>8. The extent of any cumulative effects when considered in the context of existing and future vehicle crossings serving other activities in the vicinity.</p> <p>9. The extent to which traffic mitigation or calming measures are proposed.</p> <p>10. The extent to which the proximity of a vehicle crossing to a pedestrian crossing facility may adversely affect the safe use of the pedestrian crossing facility.</p>

<p>TRAN-MD5 Vehicle crossing design</p>	<p>Support in part</p>	<p>TRAN-MD5 provides assessment matters dealing with vehicle crossing design. Clause 1 should be deleted as it provides no metric for assessment and is covered by clause 2. Consequential renumbering will be required.</p>	<p>Amend as follows: Vehicle crossing design 1.—The number of pedestrian and cycle movements across the site frontage and the number and type of vehicles using the vehicle crossing.</p>
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Appendix 2: Kāinga Ora Stream 5 (Earthworks, Energy and Infrastructure and Transport) Updated Relief Sought following S42A

In the tables below black text is as notified, “blue mark up” amendments from Section 42A Report, and “red mark” Kāinga Ora evidence relief sought.

Earthworks – Relief Sought

Provision Number	As Notified Text	Council S42A Text Drafting	Kāinga Ora Relief Sought
EW-R9 Earthworks Stockpiling	Activity status: PER Where: 1. EW-S1 to EW-S7 are met; 2. any stockpile shall not exceed 250m and 4m in height; 3. the activity shall not be located within 20m of the bank of any river or lake, 50m from the margin of any wetland;and 4. any stockpile is located greater than 100m from any sensitive activity on an adjoining site in different ownership.	Retain as notified.	Amend as follows: Activity status: PER Where: 1. EW-S1 to EW-S7 are met; 2. any stockpile shall not exceed 250m and 4m in height; 3. the activity shall not be located within 20m of the bank of any river or lake, 50m from the margin of any wetland;and 4. any stockpile <u>exceeding the volume and height in 2 above is</u> located greater than 100m from any sensitive activity on an adjoining site in different ownership.
EW-S2 General Setbacks	1. Earthworks more than 300mm in height or depth shall be set back a minimum of 2m from any boundary of a site in different ownership.	Retain as notified.	Amend as follows: 1. <u>Except where earthworks are or will be subject to building consent,</u> earthworks more than 300mm in height or depth shall be set back a minimum of 2m from any boundary of a site in different ownership.

EW-S3 Setback from water bodies	<p>1. Earthworks shall not be undertaken:</p> <p>a. within 20m from the bank of any stream, river; or</p> <p>b. within 50m of the edge of any wetland or lake.</p>	Retain as notified.	<p>Amend as follows:</p> <p>1. Earthworks shall not be undertaken:</p> <p>a. within 20m from the bank of any <u>NATC-1</u> stream, river; or</p> <p>c. within 10m of the bank of any NATC- 2 stream, river; or</p> <p>d. Within 5m of the bank of any NATC- 3 or unscheduled water body; or</p> <p>b. within 50m of the edge of any wetland or lake.</p>
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Energy and Infrastructure – Relief Sought

Provision Number	As Notified Text	Council S42A Text Drafting	Kāinga Ora Relief Sought
EI-O3 Effects of other activities and development on energy and infrastructure	The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and <u>infrastructure</u> is not constrained or compromised by activities and development, including by <u>reverse sensitivity effects</u> .	<p>Amend as follows:</p> <p>The safe, efficient and effective operation, maintenance, repair, <u>renewal</u>,²⁹¹ upgrading and development of energy and infrastructure is not constrained or compromised by <u>incompatible</u>²⁹² activities and development, including by reverse sensitivity effects.</p>	<p>Amend as follows:</p> <p>The safe, efficient and effective operation, maintenance, repair, upgrading and development of energy and infrastructure is not <u>unreasonably</u> constrained or compromised by incompatible activities and development, including by reverse sensitivity effects.</p>
EI-P1 Recognising the benefits of, and providing for, energy and infrastructure	<p>Recognise the local, regional or national benefits of energy and <u>infrastructure</u> through:</p> <p>1. enabling the operation, maintenance, repair, renewal, removal and minor upgrade of energy and <u>infrastructure</u>;</p>	Retain as notified.	<p>Amend as follows:</p> <p>(4) providing for the effective, safe, secure and efficient electricity transmission, including on the National</p>

	<ol style="list-style-type: none"> 2. providing for more than minor or significant upgrades to existing, and the development of new, energy and infrastructure; 3. providing for energy and infrastructure that serves as a lifeline utility during an emergency, including critical infrastructure, strategic infrastructure and regionally significant infrastructure; 4. providing for the effective, safe, secure and efficient electricity transmission, including on the National Grid, electricity distribution, and supply of fuel and energy; 5. providing for the effective, reliable and future-proofed communication networks and services; 6. providing for the effective, resilient, efficient and safe water supply, wastewater system and stormwater infrastructure; and community scale irrigation/stockwater; 7. enabling energy and infrastructure that has a particular focus on the utilisation of renewable resources and which contribute to sustainable use of natural and physical resources; 8. enabling feasibility investigations into renewable energy including for renewable electricity generation; 9. providing for renewable energy and renewable electricity generation including small scale or 		Grid, major electricity distribution lines , and supply of fuel and energy;
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	<p>community scale renewable electricity generation; and</p> <p>10. the provision of an adequate supply of water for firefighting in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.</p>		
EI-P4 Environmentally Sustainable Outcomes	<p>Seek more environmentally sustainable outcomes associated with energy and infrastructure, including by promoting:</p> <ol style="list-style-type: none"> 1. the use of green infrastructure; 2. the increased utilisation of renewable resources; 3. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4. using low carbon materials in construction; 5. changing the way activities that generate high greenhouse gas emissions are delivered; 6. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees or the establishment and restoration of wetlands; 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; and 	<p>Amend as follows:</p> <p>Encourage Seek more²⁹³ more environmentally sustainable outcomes associated with energy and infrastructure, where possible²⁹⁴, including by promoting²⁹⁵:</p> <ol style="list-style-type: none"> 1. the use of green infrastructure; 2. the increased utilisation of renewable resources; 3. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4. using low carbon materials in construction; 5. changing the way activities that generate high greenhouse gas emissions are delivered; 6. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees excluding wilding or pest species²⁹⁶, or the establishment and restoration of wetlands; 	<p>Amend as follows:</p> <p>Encourage Seek more²⁹³ more environmentally sustainable outcomes associated with energy and infrastructure, where possible²⁹⁴, including by promoting²⁹⁵:</p> <ol style="list-style-type: none"> 1.the use of green infrastructure; 2.the increased utilisation of renewable resources; 3.the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4.using low carbon materials in construction; 5.changing the way activities that generate high greenhouse gas emissions are delivered; 6.offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees excluding wilding or pest

	<p>8. <u>building</u> design with a Homestar™</p> <p>9. certification rating of at least 6 for residential <u>buildings</u>, or a Green Star rating of at least 4 for commercial <u>buildings</u>, to assist in reducing energy consumption and greenhouse gas emissions.</p>	<p>7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; and</p> <p>8. building design with a Homestar™ certification rating of at least 6 for residential buildings, or a Green Star rating of at least 4 for commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.</p>	<p><u>species</u>²⁹⁶, or the establishment and restoration of wetlands;</p> <p>7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; and</p> <p>8. building design with a Homestar™ certification rating of at least 6 for residential buildings, or a Green Star rating of at least 4 for commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.</p>
<p>EI-P5 Manage adverse Effects of energy and infrastructure</p>	<p>Manage adverse <u>effects</u> of energy and <u>infrastructure</u>, including by the following:</p> <ol style="list-style-type: none"> 1. enabling or providing for the ongoing operation, maintenance, repair, renewal, removal and minor upgrade of existing energy and <u>infrastructure</u>; 2. avoiding, remedying or mitigating adverse <u>effects</u> of more than minor upgrades to existing energy and <u>infrastructure</u>, including <u>effects</u> on: <ol style="list-style-type: none"> a. <u>natural and physical resources</u>; b. <u>amenity values</u>; c. <u>sensitive activity</u>; d. the safe and efficient operation of other <u>infrastructure</u>; e. the health, safety and well-being of people and communities; 3. new energy and <u>infrastructure</u>, or major upgrades to existing energy 	<p>Amend as follows:</p> <p>Manage adverse effects of energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. enabling or providing³³ for the ongoing operation, maintenance, repair, renewal³⁴, removal and minor upgrade of existing energy and infrastructure; 2. <u>providing for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure while</u>³⁵ avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects³⁶ on: <ul style="list-style-type: none"> • natural and physical resources; • amenity values; 	<p>Amend as follows:</p> <p>Manage adverse effects of energy and infrastructure <u>on surrounding environments and community well-being</u>, including by the following:.....</p>

	<p>and <u>infrastructure</u>, should, to the extent considered practicable, ensure that the route or <u>site</u> is located outside of the following types of sensitive environments to protect such environments from significant adverse <u>effects</u>, taking into account the constraints imposed by the <u>functional need</u> or <u>operational need</u> of the energy and <u>infrastructure</u>:</p> <ol style="list-style-type: none"> <u>ONF</u>, <u>ONL</u> and <u>SAL</u>; areas of <u>ONC</u>, <u>VHNC</u> and <u>HNC</u>, and natural character of scheduled <u>freshwater</u> bodies <u>setbacks</u>; <u>SNAs</u>; <u>buildings</u>, other <u>structures</u> and settings with <u>heritage values</u>, and <u>archaeological sites</u>; <u>SASM</u>; <u>places adjoining the coastal marine area</u>; <p>4. where new energy and <u>infrastructure</u>, or major upgrades to existing energy and <u>infrastructure</u>, cannot locate outside of the sensitive environments in (3) above, the energy and <u>infrastructure</u> should, to the extent considered practicable, ensure that the proposed route, <u>site</u>, <u>structure</u> and construction method demonstrate the following, taking into account the constraints imposed by the <u>functional need</u> or <u>operational need</u> of the energy and <u>infrastructure</u>:</p> <ol style="list-style-type: none"> energy and <u>infrastructure</u> will be located in more compromised parts of the areas in (3) above where that reduces 	<ul style="list-style-type: none"> an existing³⁷ sensitive activity; the safe and efficient operation of other infrastructure; the health, safety and well-being of people and communities; <p>3A. using major upgrades to existing energy and infrastructure as an opportunity to reduce existing adverse effects where appropriate to do so.³⁸</p> <p>3. outside of the coastal environment, regionally significant new and infrastructure, or major upgrades to existing regionally significant energy and⁴⁰ infrastructure, should, to the extent considered⁴¹ practicable, ensure that the route or site is located outside of the following types of sensitive environments to protect such environments from significant adverse effects, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure:</p> <ol style="list-style-type: none"> <u>ONF</u>, <u>ONL</u> and <u>SAL</u>; areas of <u>ONC</u>, <u>VHNC</u> and <u>HNC</u>, and natural character of scheduled freshwater bodies setbacks; <u>SNAs</u>; 	
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	<p>adverse <u>effects</u> on the values of those areas;</p> <p>b. techniques (such as <u>structure</u> selection or construction methodology) will be used to mitigate adverse <u>effects</u> on the areas in (3) above;</p> <p>c. adverse <u>effects</u> on the areas in (3) above will be remedied or mitigated;</p> <p>5. consider <u>biodiversity offset</u> for residual adverse <u>effects</u> on <u>indigenous biodiversity</u> that cannot otherwise be avoided, remedied or mitigated;</p> <p>6. avoiding or mitigating potential significant adverse <u>effects</u> of the generation of radio frequency fields and electric and magnetic fields by requiring compliance with recognised standards or guidelines; and</p> <p>7. promoting the undergrounding of new energy and <u>infrastructure</u> where it is:</p> <p>a. technically feasible;</p> <p>b. economically viable;</p> <p>c. justified by the extent of adverse visual <u>effects</u> if not placed underground.</p>	<p>d. buildings, other structures and settings with heritage values, and archaeological sites;</p> <p>e. SASM;\</p> <p>f. places adjoining the coastal marine area;⁴²</p> <p>4. where <u>regionally significant energy</u> and⁴³ infrastructure, or major upgrades to existing <u>regionally significant energy</u> and⁴⁴ infrastructure, cannot locate outside of the sensitive environments in (3) above, the energy and infrastructure should, to the extent <u>considered</u> practicable⁴⁵, ensure that the proposed route, site, structure and construction method demonstrate the following, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure:</p> <p>a. <u>regionally significant energy</u> and⁴⁶ infrastructure will be located in more compromised parts of the areas in (3) above where that reduces adverse effects on the values of those areas;</p> <p>b. techniques (such as structure selection or construction methodology) will be used to mitigate adverse effects on the areas in (3) above;</p> <p>c. adverse effects on the areas in (3) above will be remedied or mitigated;</p>	
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		<ol style="list-style-type: none"> 5. consider biodiversity offset, <u>where there is a strong likelihood that the</u> offset will be achieved in perpetuity,⁴⁷ for residual adverse effects on indigenous biodiversity that cannot otherwise be avoided, remedied or mitigated; 6. avoiding or mitigating⁴⁸ potential significant adverse effects of the generation of radio frequency fields and electric and magnetic fields by requiring compliance with recognised standards or guidelines; and 7. promoting the undergrounding of new energy and infrastructure where it is: <ol style="list-style-type: none"> a. technically feasible; b. economically viable; 	
EI-P6 Effects of other activities and development on energy and infrastructure	<p>Manage adverse <u>effects</u> of other activities and development on energy and <u>infrastructure</u>, including by the following:</p> <ol style="list-style-type: none"> 1. ensuring such <u>effects</u> do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and <u>infrastructure</u>; and 2. with regards to the <u>National Grid</u> and major <u>electricity distribution lines</u>, in addition to (1) above, by ensuring that: <ol style="list-style-type: none"> a. safe buffer distances are identified in the <u>District Plan</u> for managing the <u>effects</u> of 	<p>Amend as follows:</p> <p>Manage adverse effects, <u>including reverse sensitivity effects</u>⁵², of <u>incompatible</u>⁵³ other activities and development on energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and 2. with regards to the National Grid and⁵⁴ major electricity 	<p>Amend as follows:</p> <p>Manage adverse effects of <u>incompatible</u> activities and development on energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and 2. with regards to the National Grid and major electricity

	<p>incompatible activities and development on the National Grid and major electricity distribution lines including support structures;</p> <p>b. sensitive activity and development that may compromise the National Grid and major electricity distribution lines, including those associated with intensive farming activities, are excluded from establishing within identified safe buffer distances;</p> <p>c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair, upgrading and development of the National Grid and major electricity distribution lines; and</p> <p>3. ensuring buildings, other structures and vegetation do not obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, including for radiocommunication associated with critical infrastructure, strategic infrastructure, regionally significant infrastructure, a lifeline utility, and for emergency purposes and day to day operations of an emergency service.</p>	<p>distribution lines, in addition to (1) above, by ensuring that:</p> <p>a) safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on the National Grid and⁵⁵ major electricity distribution lines including support structures;</p> <p>b) sensitive activity and development that may compromise the National Grid and⁵⁶ major electricity distribution lines, including those associated with intensive farming activities indoor primary are excluded from establishing within identified safe buffer distances;</p> <p>c) changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair replacement⁵⁸, upgrading and development of the National Grid and⁵⁹ major electricity distribution lines; and</p> <p>2A. with regards to the National Grid, in addition to (1) above:</p>	<p>distribution lines, in addition to (1) above, by ensuring that:</p> <p>a. safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on the National Grid and major electricity distribution lines including support structures;</p> <p>b. sensitive activity and development that may compromise the National Grid and major electricity distribution lines, including those associated with intensive farming activities, are excluded from establishing within identified safe buffer distances;</p> <p>c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair, upgrading and development of the National Grid and major electricity distribution lines; and</p> <p>...</p> <p>2A. with regard to major distribution lines in addition to (1) above ensuring these are mapped for information purposes in the District Plan.</p>
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		<p>a. <u>mapping the National Grid and identifying buffer corridors in the District Plan within which sensitive activities, including the expansion of an existing sensitive activity, are not provided for; and,</u></p> <p>b. <u>to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and</u>⁶⁰</p> <p>3. ensuring buildings, other structures and vegetation do not obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, including for radiocommunication associated with critical infrastructure, strategic infrastructure, regionally significant infrastructure, a lifeline utility, and for emergency purposes and day to day operations of an emergency service.</p>	
<p>EI-R51 Activities and development (other than earthworks) within a National Grid Yard</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> the activities and development within a <u>National Grid Yard</u> in (a) to (i) below comply with the safe electrical clearance distances set out in the <u>NZECP</u>; and where the activities and development in (d) to (i) below are set back 12m from any <u>National Grid support structure</u>: 	<p>Amend as follows:</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> the activity is not a sensitive activity; buildings or structures comply with NZECP34: 2001 and are: <ol style="list-style-type: none"> for a network utility; or 	<p>Amend as follows:</p> <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> the activity is not a sensitive activity; buildings or structures comply with NZECP34: 2001 and are: <ol style="list-style-type: none"> for a network utility; or

	<ul style="list-style-type: none"> a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators; b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure; c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that: <ul style="list-style-type: none"> i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is a maximum of 2.5m in height above ground level; iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes; iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area; 	<ul style="list-style-type: none"> b. a fence not exceeding 2.5m in height above ground level; or c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not: <ul style="list-style-type: none"> i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms), ii. a wintering barn, iii. a building for intensive indoor primary production^{158 159}, or iv. a commercial greenhouse or v. produce packing facilities; d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building <p>3. a building or structure provided for by (2)(a) to (d) must:</p> <ul style="list-style-type: none"> a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities; b. not permanently obstruct existing vehicle access to a National Grid support structure; 	<ul style="list-style-type: none"> a. a fence not exceeding 2.5m in height above ground level; or b. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not: <ul style="list-style-type: none"> i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms), ii. a wintering barn, iii. a building for intensive indoor primary production^{158 159}, or iv. a commercial greenhouse or v. produce packing facilities; c. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building <p>3. a building or structure provided for by (2)(a) to (d) must:</p> <ul style="list-style-type: none"> a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities; b. not permanently obstruct existing vehicle access to a National Grid support structure;
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	<p>e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse;</p> <p>f. mobile irrigation equipment used for agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>i. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p>	<p>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.¹⁶⁰</p> <p>Activity status when compliance not achieved: NC</p>	<p>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.¹⁶⁰</p> <p>Activity status when compliance not achieved: RDIS</p>
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Transport Objectives and Policies – Relief Sought

Provision Number	As Notified Text	Council S42A Text Drafting	Kāinga Ora Relief Sought
TRAN-O2 Parking, loading area and associated access and manoeuvring area	<p>Parking, where provided, loading area and associated access and manoeuvring area that:</p> <ol style="list-style-type: none"> 1. caters for access, parking demand and manoeuvring in an efficient, functional and sustainable manner; 2. enhances the amenity values and function of town centres and Residential Zones; 3. results in safe places for people to use and move through; 4. is accessible and convenient for pedestrians; 5. provides secure, visible and convenient cycle parking, and cycling end-of-journey facilities for staff; 6. supports greater use of public transport, including through park and ride facilities; and 7. enables access, loading and manoeuvring without reducing amenity values or compromising safety. 	<p>Retain as notified</p>	<p>Amend as follows:</p> <p>Parking, where provided, loading area and associated access and manoeuvring area that:</p> <ol style="list-style-type: none"> (1) caters for access, parking demand and manoeuvring in an efficient, functional and sustainable manner...

TRAN-O4 Effects of activities on the transport system	Adverse effects on the District's transport system from activities, including reverse sensitivity, are avoided, remedied or mitigated.	<p>Amend as follows:</p> <p>Adverse effects on the District's transport system from activities, including reverse sensitivity, are avoided, remedied or mitigated, <u>so the safety, efficiency and resilience of the transport system is not constrained or compromised.</u></p>	<p>Amend as follows:</p> <p><u>The safe, efficient and effective operation, maintenance, repair, upgrading and development of the transport system is not unreasonably constrained or compromised by incompatible activities and development.</u></p>
TRAN-P15 Effects of activities on the transport system	<p>Ensure, to the extent considered reasonably practicable, that other activities do not compromise the safe and efficient operation, maintenance, repair, upgrading or development of the transport system, including through:</p> <ol style="list-style-type: none"> 1. managing access to the road corridor, and activities and development adjacent to road/rail level crossings, particularly where it is necessary to achieve protection of the safe and efficient functioning of the transport system, including those parts of the transport system that form part of critical infrastructure, strategic infrastructure and regionally significant infrastructure; 2. avoiding, remedying or mitigating adverse reverse sensitivity effects on the transport system; and 3. providing for ease of access for service and emergency service vehicles. 	<p>Retain as notified.</p>	<p>Amend as follows:</p> <p><u>Manage adverse effects of incompatible activities and development on the transport system to the extent considered reasonably practicable, including by the following:</u></p> <ol style="list-style-type: none"> 1. <u>managing access to the road corridor, and activities and development adjacent to road/rail level crossings, particularly where it is necessary to achieve protection of the safe and efficient functioning of the transport system, including those parts of the transport system that form part of critical infrastructure, strategic infrastructure and regionally significant infrastructure;</u> 2. <u>Ensure incompatible activities do not compromise or constrain the safe, effective and efficient operation, maintenance, repair,</u>

			<u>upgrading and development of the transport system; and</u> 3. <u>providing for ease of access for service and emergency service vehicles.</u>
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Transport Rules and Standards - Relief Sought

TRAN-R6 Formation of a new vehicle accessway

The submission (changes shown **red**) seeks the following amendment to TRAN-R6:

4. in the circumstances specified in ~~(a) and (b)~~ a. below, a new vehicle accessway shall be designed to the standard of a new road as per Table TRAN-3 or Table TRAN-4, with the applicable standard based on the posted speed limit of the road with which
- the accessway will connect:
- ~~a. where any new vehicle accessway in Residential Zones or Rural Zones will serve six or more sites; or~~
a. where vehicle movements on any new accessway will exceed 100 per day.

Table 1: Recommended Changes to Table TRAN-3

Design element	Road type		
	Low Volume Local Road	Local Road Residential Zones	Local Road <u>Other</u>
Typical design AADT	<150	<1,500	<1,500
Maximum length (m)	150		
Maximum number of residential units served	20	200	200
Road reserve <u>corridor</u> width (m) ²	16.0 13.0	18.0 15.0	18.0

Footpath (m)	2 <u>1</u> x 1.8	2 x 1.8	2 x 1.8
Shared use path (m) 3			
Parking (m) ⁴	2.5 <u>2.2</u> (within carriageway, one side only)	2.0 <u>2.2</u> (within carriageway, <u>one side</u> each <u>side</u>)	2.0 (within carriageway, each side)
Cycle lane (m) ¹			
Traffic lane (m)	4.0 minimum	4.0 minimum	4.0 minimum
Median (m)			
Minimum carriageway width (m)	6.5 <u>6.2</u>	8.0 <u>7.0</u>	8.0

Table 2: Proposed Changes to Table TRAN-7 Design Standards for new vehicle accessways⁸

Zone	No. Res. Units / <u>Length</u>	Min. Legal widths	Min Formed Widths	Passing Bays
Residential	1-3 <u><50m</u>	5.5 <u>4.0</u>	3.0 ⁹ 4.0 ¹⁰	<u>No</u>
	<u>1-3 >50m</u>	<u>4.5</u>	<u>4.0</u>	<u>Yes</u>
	4- 6 <u>9</u> <u><50m</u>	5.5 <u>5.0</u>	4.5 <u>3.5</u>	<u>No</u>
	<u>4-9 >50m</u>	<u>5.0</u>	<u>4.0</u>	<u>Yes</u>
	<u>>6-10 <50m</u>	7.0 <u>5.5</u>	5.5 <u>4.5</u>	<u>No</u>
	<u>>10 >50m</u>	<u>6.5</u>	<u>5.5</u>	<u>N/A</u>

⁸ It is noted that the Council may want update Table TRAN-18 for vehicle crossing widths to co-ordinate with changes to Table TRAN -7 for accessway widths.

⁹ Submission seeks to retain as notified.

¹⁰ Red shows S.42A report changes.

Table 3: Recommended Change to TRAN-R20 High traffic generators

All Zones	<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any activity generates an average daily traffic volume that exceeds the thresholds contained in Table TRAN-1 below <u>except that the following shall be excluded from these calculations</u> <ol style="list-style-type: none"> a. <u>the level of traffic generation existing as at the date of the District Plan becoming operative;</u> b. <u>traffic generation within the scope of an ITA approved through a previous resource consent;</u> 2. for the activities in (1) above: <ol style="list-style-type: none"> a. either a Basic ITA or Full ITA shall be required; b. the type of ITA to be provided shall be determined by the circumstances set out in Table TRAN-2 below; and c. the ITA shall be prepared by an independent suitably qualified and experienced transport engineer.
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Table 4: Recommended Changes to Table TRAN-1: High Traffic Generation Thresholds

Preferred Change		Alternative Relief Sought	
<u>Non-residential activities in Residential Zones / Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration)</u>		Residential Zones / Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration)	
Average daily traffic generation	> 200 vmpd > 50 hvmpd	Average daily	<u>Residential Activities > 500vmp</u> <u>Non-residential Activities > 200 vmpd</u> <u>All Activities > 50 hvmpd</u>

		traffic generation	
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Table 5: Recommended Changes to Table TRAN-2: ITA Requirement

Preferred Change		Alternative Relief Sought	
Activity status under all other applicable rules	Type of ITA required	Activity status under all other applicable rules	Type of ITA required
Permitted	Basic	Permitted	Basic
Controlled	Basic	Controlled	Basic
Restricted discretionary	Full Basic	Restricted discretionary	<u>Residential activities in residential zones- Basic</u> <u>Other activities / zones</u> - Full
Discretionary	Full	Discretionary	Full
Non complying	Full	Non complying	Full

Appendix 3: Canterbury Regional Policy Statement – relevant Chapter 5 and 6 objectives and policies

Objective 5.2.1 Location, Design and Function of Development (Entire Region)

Development is located and designed so that it functions in a way that:

1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and
2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:
 - a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;
 - b. provides sufficient housing choice to meet the region's housing needs;
 - c. encourages sustainable economic development by enabling business activities in appropriate locations;
 - d. minimises energy use and/or improves energy efficiency;
 - e. enables rural activities that support the rural environment including primary production;
 - f. is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;
 - g. avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;
 - h. facilitates the establishment of papakāinga and marae; and
 - i. avoids conflicts between incompatible activities.

Objective 5.2.2 Integration of land-use and regionally significant infrastructure (Wider Region)

In relation to the integration of land use and regionally significant infrastructure:

1. To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.
2. To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:

- a. development does not result in adverse effects on the operation, use and development of regionally significant.
- b. adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable.
- c. there is increased sustainability, efficiency and liveability.

Policy 5.2.3 Transport network (Wider Region)

A safe, efficient and effective transport system to meet local regional, inter-regional and national needs for transport, which:

- 1. supports a consolidated and sustainable urban form;
- 2. avoids, remedies or mitigates the adverse effects of transport use and its provision;
- 3. provides an acceptable level of accessibility; and
- 4. is consistent with the regional roading hierarchy identified in the Regional Land Transport Strategy.

Policy 5.3.2 Development conditions (Wider Region)

To enable development including regionally significant infrastructure which:

- 1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:
 - a. existing or consented regionally significant infrastructure;
 - b. options for accommodating the consolidated growth and development of existing urban areas;
 - c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;
 - d. the protection of sources of water for community supplies;
 - e. significant natural and physical resources;
- 2. avoid or mitigate:
 - a. natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;
 - b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and
- 3. integrate with:

- a. the efficient and effective provision, maintenance or upgrade of infrastructure; and
- b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.

Policy 5.3.9 Regionally significant infrastructure (Wider Region)

In relation to regionally significant infrastructure (including transport hubs):

1. avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety;
2. provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and
3. provide for the expansion of existing infrastructure and development of new infrastructure, while:
 - a. recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists;
 - b. avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and
 - c. when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.

Objective 6.2.1 Recovery framework

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

1. identifies priority areas for urban development within Greater Christchurch;
2. identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;

3. avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;
4. protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;
5. protects and enhances indigenous biodiversity and public space;
6. maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air;
7. maintains the character and amenity of rural areas and settlements;
8. protects people from unacceptable risk from natural hazards and the effects of sea-level rise;
9. integrates strategic and other infrastructure and services with land use development;
10. achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;
11. optimises use of existing infrastructure; and
12. provides for development opportunities on Māori Reserves in Greater Christchurch.

6.3.5 Integration of land use and infrastructure

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

1. Identifying priority areas for development and Future Development Areas to enable reliable forward planning for infrastructure development and delivery;
2. Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:
 - a. optimise the efficient and affordable provision of both the development and the infrastructure;
 - b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
 - c. protect investment in existing and planned infrastructure;
 - d. ensure that new commercial film or video production facilities are connected to reticulated water and wastewater systems; and
 - e. ensure new development does not occur until provision for appropriate infrastructure is in place;
3. Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;

4. Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch

International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land; and

5. Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.