

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council reply on Pūngao me te hanganga hapori - Energy and Infrastructure
(EI) – Andrew MacLennan on behalf of Waimakariri District Council**

Date: 30 November 2023

INTRODUCTION:

- 1 My full name is Andrew MacLennan. My role in preparing this report is that of an expert planner contracted to the Waimakariri District Council.
- 2 I have read the evidence and tabled statements provided by submitters relevant to the Section 42A Report - Pūngao me te hanganga hapori - Energy and Infrastructure (EI).
- 3 I have prepared this Council reply on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Hearing Stream - 5.
- 4 Specifically, this statement of evidence relates to the matters in the Section 42A Report - Pūngao me te hanganga hapori - Energy and Infrastructure (EI).
- 5 I am authorised to provide this evidence on behalf of the Waimakariri District Council

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 6 Appendix C of my section 42A report sets out my qualifications and experience.
- 7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 8 This reply follows Hearing Stream 21 – 25 August 2023. Minute 9 from the Hearing Panel provided direction on expert conferencing and set out timeframes for the final reply reports. The Council officers final right of reply for the EI Chapter is to be completed by 30 November 2023.
- 9 The main topics addressed in this reply include:
 - Answers to questions posed by the Panel
 - Summary of the JWS's for the EI chapter
 - Matters remaining in contention

- Changes to recommendations in s42A report
- Response to matters relating to ‘primacy’

10 Appendix 1 has recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the s42A report.

11 Appendix 2 has an updated table of recommended responses to submissions and further submissions. In response to a question from the Hearing Panel noting that the ‘Officer Recommendation’ column of the appendix included within the s42A report only included ‘accept’ or ‘reject’ and not ‘accept in part’ the updated Appendix 2 has included been updated to describe where a submission point was ‘accepted in part’.

12 The following is a key of the proposed amendments:

Appearance	Explanation
Black text	Text as notified.
Red text with <u>underlining</u> or strikethrough	Amendments recommended in section 42A report or reply report.
Blue text with <u>underlining</u> or strikethrough	Additional amendments recommended by the initial Reply Report.
Green text with <u>underlining</u> or strikethrough	Amendments recommended within this Reply Report in response to evidence.
Purple text with <u>underlining</u> or strikethrough	Additional amendments the experts are recommending as part of this JWS.

ANSWERS TO QUESTIONS POSED BY THE PANEL

13 The following answers to questions posed by the Panel were provided to the Panel on 29 September 2023, and are replicated here to provide a single reply document.

Use of 'manage' in policy

In all reply reports, please provide any updated recommended amendments having heard the questions from the Hearings Panel and listened to expert responses on the use of manage in a policy framework.

14 I retain the view that the term 'manage' can enable range of management methods, and is commonly used within plan drafting. I consider 'managing' adverse effects could include: avoiding, remedying, mitigating, offsetting, compensation. I consider that when 'manage' is used within an objective or policy framework it is important that there is additional detail provided as to how the effects will be managed. For example, I consider the use of the term 'manage' within the chapeau of EI-P5 is appropriate, as the following clauses within the policy detail the management approaches to be applied. When used on its own without further qualification I consider the term 'manage' provides little direction as to the intended outcome or action.

15 In the context of EI-O2, I have recommended within my s42A replacing 'avoided, remedied, mitigated', with 'manage' without further detailing which management approach is required. On reflection, I acknowledge that using the term 'manage' does not provide direction on the intended outcome. I consider the objective should list the suite of management methods used within the policies of the EI chapter. As such, I recommend that 'avoided, remedied, mitigated' is retained within EI-O2.

16 I note that 'offsetting' in the context of biodiversity is also provided for as a management method within EI-P5(5). I consider offsetting within EI-P5(5) is specific to biodiversity offsetting and achieves the requirements of ECO-O1. Therefore, I consider reference to offsetting more generally is not required within EI-O2.

Recommendation

17 I recommend that EI-O2 be amended as follows:

Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated, while taking into account their operational and functional needs¹.

Section 32AA Assessment

18 The recommended amendments largely revert back to the notified version of the objective by retaining 'avoided, remedied or mitigated'. Therefore, no s32AA assessment is required for this change. In relation to the addition of 'while taking into account their operational and functional needs', as noted within paragraph 85 of my s42A report I consider this addition better gives effect to Policies 1 and 2 of the NPSET and Policy 16.3.4 of the RPS. Given this, I consider that the recommended amendments to the objective are the most appropriate to achieve the purpose of the RMA.

Mr Maclennan and Ms Steven are to provide a joint response and final recommendations in respect of the request from the Telcos to change the activity status for customer connections in EI-R4 from restricted discretionary to controlled.

19 Mr Horne supports the submission of The Companies that customer connection attached to a heritage item under EI-R4 should be a controlled activity subject to the design and placement of the service connection to minimise impacts on the values and attributes of the listed area, façade or item. Within their evidence, Mr McCarrison, Mr Kantor and Mr Clune support this amendment, within paragraph 3.4 of their combined evidence they noted that:

'Our experience is that a controlled activity enables existing connections to heritage buildings to be upgraded and replaced with fibre while protecting the heritage characteristics. It is our belief that if the building is not equipped with modern telecommunications infrastructure the

¹ MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12]

economic value of the building will be eroded putting the future of the building at risk.'

20 I have discussed this submission point with Ms Steven, and we remain of the view, that a restricted discretionary activity is appropriate. As set out within paragraph 206 of my section 42A report, I have recommended that a new rule 'How to interpret and apply the rules' be included within the EI chapter. This rule states that the HH-R3 does not apply to EI activities. Therefore, HH-R3 will not apply to customer connection to heritage buildings. That being the case, there is greater reliance on the provisions of the EI chapter to manage adverse effects of EI on places with historic heritage values.

21 I consider retaining the framework within EI-R4 which includes a permitted activity rule for customer connections with a default to restricted discretionary activity status, strikes the right balance between providing for the ongoing use and re-use of heritage buildings while also protecting historic heritage values, as required by HH-P5. Finally, I note that I have supported the addition of a new matter of discretion into EI-R4: 'EI-MD3 - Operational considerations', which ensures that the operational considerations of customer connections can be considered within restricted discretionary consent process.

Recommendation

22 No further changes to EI-R4 are recommended.

Having heard from submitters and responded to questions from the Hearings Panel on TRAN-P2 and EI-P4, please provide any updated recommendations in respect to these policies. In particular, please consider the appropriateness of these policies, where they would best be located, and whether there is scope to move their location.

23 Starting with EI-P4, firstly in relation to the scope, I note that three parties seek slight amendments to particular clauses within the policy. Of those seeking amendments, I have agreed to the amendments sought by ECan [316.20] and I have agreed in part to the amendment sought by Kainga Ora [325.25]. The only amendments that were not supported

were a change to the chapeau sought by Federated Farmers and the deletion of clause (8) sought by Kainga Ora. Given this, the scope for additional change within this policy is very limited.

- 24 I have re-considered submission from Kainga Ora [325.25] seeking the removal of clause (8) of this policy. I now agree that this clause does not relate to an energy and infrastructure activity. Therefore, I recommended deletion of this clause. Beyond this amendment I consider there is no scope to amend this policy further or recommend it be relocated. If the Hearing Panel were of a view that there was an ability through clause 16 of the RMA to relocate this policy, I would suggest that this policy is more appropriately located within RESZ-P4 of the Proposed Plan which relates to sustainable design of buildings in the residential zone.

Recommendation

- 25 I recommend that EI-P4 be amended as follows:

Environmentally sustainable outcomes

Encourage ~~Seek more~~² more environmentally sustainable outcomes associated with energy and infrastructure, where possible³, including by ~~promoting~~⁴:

- 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 species⁵, or the establishment and restoration of wetlands; and*
- 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and 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~~*

² Kainga Ora [325.25]

³ Kainga Ora [325.25]

⁴ Kainga Ora [325.25]

⁵ ECAN [316.20]

commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.⁶

Section 32AA Assessment

26 I consider clause (8) is not necessary to achieve the objectives of the EI chapter as the chapeau of the policy relates to energy and infrastructure activities, but the content of the policy relates to commercial and residential building design. I consider EI-P4 will be more efficient and effective at achieving EI-O1 if clause (8) is removed as it removes an unnecessary provision.

Please respond to Ms McLeod's and Federated Farmers' evidence in respect to EI-R2.

27 Federated Farmers and Ms McLeod did not provide evidence on EI-R2. I addressed the Federated Farmers and Transpower submissions on EI-R2 within paragraphs 197-198 of my s42A report⁷.

Please respond to the amendments sought by NZART to the amateur radio provisions.

28 Amateur radio members expressed concerns with the amendments to EI-R29 in particular they raised concern with the addition of clause 1(A) which reads:

'any part of a pole above 5m height in relation to infrastructure shall have a maximum diameter of 50mm'

29 They have correctly identified that I have misinterpreted their submission when drafting this additional clause. I agree with the submitter's oral presentation at the hearing that clause 1(A) of EI-R29 can be deleted.

Recommendation

30 I recommend that EI-R29(1A) is deleted as follows:

⁶ Kainga Ora [325.25]

⁷ EI-R2 was included in the list of officer's recommendations supported within Appendix A of the Evidence in Chief of Ainsley McLeod (page 42)

EI-R29	New amateur radio configurations	
All Zones	Activity status: PER Where: 1. the maximum height in relation to infrastructure of any pole shall be 20m; <u>1A any part of a pole above 5m height in relation to infrastructure shall have a maximum diameter of 50mm⁸</u> 1B ...	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations

Section 32AA Assessment

31 I consider the recommended amendment corrects an oversight in the s42A report. I consider the recommended amendment is more efficient in achieving EI-O1 as it removes an un-necessary permitted activity standard.

If the Hearings Panel was of the view that the benefits of infrastructure should be included in SD-O3, please recommend appropriate wording.

32 I consider the benefits of infrastructure are not fully captured by the notified drafting of SD-O3. I note that RPS Objective 5.2.2 includes acknowledgement of the benefits of regionally significant infrastructure. The objective within the NPSET also highlights the national significance of the electricity transmission network. Therefore, I consider an addition could be made to SD-O3 to recognise the benefit infrastructure provides to the community without replicating the drafting within the EI chapter.

Recommendation

33 I recommend that SD-O3(2) is amended as follows:

⁸ New Zealand Association of Radio Transmitters, Inc. [157.1]

To meet the needs of the community

Across the district:

...

2 *infrastructure, including strategic infrastructure, critical infrastructure and regionally significant infrastructure:*

aa. is recognised for the benefit it provides to the community;⁹

a. is able to operate efficiently and effectively; and

b. is enabled, while:

...

Section 32AA Assessment

34 As noted in paragraph 33 above, I consider the recommended additional clause will give effect to the requirements within Objective 5.2.2 of the RPS and includes acknowledgement of the benefits of regionally significant infrastructure. It will also give effect to the objective within the NPSET which highlights the national significance of the electricity transmission network. Given this, I consider that the recommended amendments to the strategic objective are the most appropriate to achieve the purpose of the RMA.

Given your recommended amendment to EI-R18.1.a to remove the requirement for the attachment to the underside of a bridge etc, is there a need for this clause at all, and is there scope to delete it?

35 One submission was received on EI-R18 seeking the seek deletion of clauses (1)(a) and (1)(c)¹⁰. There is no scope for further amendments to this rule. I have re-considered the submission of Chorus, Spark and Vodafone [62.32] in relation to clause 1(a). Within my s42A report¹¹ I had agreed with the removal of the requirement for pipes, cables, conductors or lines to be attached to the underside of a bridge. However, on reflection this makes the rule more restrictive as it removes the option of attaching pipes, cables, conductors or lines to the underside of

⁹ MainPower [249.20042]

¹⁰ Chorus, Spark and Vodafone [62.32]

¹¹ Paragraph 289

a bridge. Therefore, to ensure the more flexibility within the rule I recommend that clause 1(a) is retained as notified. For completeness, I retain the view that clause 1(c) should be deleted.


Recommendation

36 I recommend that EI-R18 be amended as follows¹²:

EI-R18	Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. pipes, cables, conductors or lines: <ol style="list-style-type: none"> a. shall be attached to the underside of the bridge, or incorporated within the bridge, tunnel or culvert structure, or within an existing attached conduit, duct or pipe; b. the maximum diameter of any new conduit, duct or pipe shall be 300mm; <u>and</u> c. any new conduits, ducts or pipes in (b) above shall be in a cluster of no more than two conduits, ducts or pipes in total; and¹³ d. shall not be attached to a 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational consideration

¹² Note: clause 1(a) above was proposed to be deleted within my s42A report. Following the hearing I now recommend that it be retained. To avoid confusion, I have not included black strike through and blue underling.

¹³ Chorus, Spark and Vodafone [62.32]

	bridge, tunnel or culvert with heritage values. 	
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Section 32AA Assessment

37 The recommended amendments revert back to the notified version of the rule. Therefore, no s32AA assessment is required for this change.

Is there scope for EI-R42 to be reconsidered as an exemption of height and height in relation to boundary without the need for a rule?

38 As notified, EI-R42 enables the establishment of new solar hot water systems as permitted activity subject to meeting a permitted standard. The Daiken NZ submission sought to expand the scope of the permitted activity rule, so it was not confined to installation only on the roof of buildings and within specified zones. This amendment is supported within my s42A report.

39 Permitted standards EI-R42(1)(a) requires that a new solar hot water system on a new building, shall comply with the height in relation to boundary requirement for the zone or adjoining zone. This was not opposed by any submitter. Therefore, in my view I do not think there is scope to delete the rule and include this activity within the height in relation to boundary exemption.

Recommendation

40 No additional amendments are recommended.

SUMMARY OF THE JWS'S FOR THE EI CHAPTER

Introduction

41 Minute 9 of the Hearing Panel directed expert conferencing on two topics within the EI chapter:

- EI Integration – rule how to apply the rule and associated consequential amendments.
- NZCEP - Rules: EI-R51, EI-R52, EI-R52A, EI-R54, EI-R55, EI-R56.

42 These documents are briefly summarised below.

EI Integration

43 The JWS associated with the proposed rule 'rule how to apply the rule' and associated consequential amendments, is uploaded to the website separately.

44 The experts have agreed to amendments a range of provisions to better integrate the NFL chapter and the EW chapter.

NZCEP

45 The JWS associated with Rules: EI-R51, EI-R52, EI-R52A, EI-R54, EI-R55, EI-R56 is uploaded to the website separately.

46 The experts have agreed to amendments to EI-R51, EI-R52, EI-R52A, and EI-R54.

47 No agreement was reached between the experts as to how NZCEP 34:2001 should be incorporated EI-R54, EI-R55, and EI-R56 related to the 'major electricity distribution lines'.

MATTERS REMAINING IN CONTENTION

Corridor protection areas

48 Ms Foote supports the submission of Mainpower seeking that corridor protection rules relating to reverse sensitivity effects under Rules EI-54, EI-55, EI-56 and new proposed Rule (Structures near major electricity distribution lines) be located in the relevant zone chapters where they will be easier for plan users to identify and would reduce the likelihood of the provisions being missed when development proposals are considered.

49 Ms Foote also notes that if the Panel disagrees with the duplication of corridor protection rules in each of the zone chapters, she considers that appropriate cross referencing via hyperlinks within the zone chapters would be the appropriate alternative relief.

50 I retain the view set out within paragraph 424 of my s42A report. In addition, I note that the Proposed Plan has been developed as an ePlan where plan users are able to search the address of the site they are interested in to understand which provisions apply to the site. Given this, I consider EI-54, EI-55, and EI-56 will be identified where relevant through the property search tool in the ePlan, which reduces the need for duplicating these rules in each of the zone chapters.

51 Ms Foote supports the submission of Mainpower seeking that the colour of the major electricity distribution lines be made more distinctive on the planning maps. On reflection, I agree with Ms Foote that the light grey colour of the major electricity distribution lines is very difficult to see, and I support the suggested amendment. I note there is no standard colour for major electricity distribution lines with the National Planning Standards.

52 I have spoken to the Council GIS staff who have changed the colour of the 'major electricity distribution lines' layer from light grey to yellow as this does not affect the content of application of the Proposed Plan.

Recommendation

53 No additional amendments are recommended.

EI-O1 Provision of energy and infrastructure

54 In response to the questions from the Hearing Panel (Paras 86 and 88) I re-considered my suggested amendment to EI-O1 in response to Mainpower submission. I agree that drafting of the recommended amendments could be improved and suggested a slight re-wording of the objective.

Recommendation

55 I recommend that EI-O1 be amended as follows:

EI-O1	Provision of energy and infrastructure Across the District: <ol style="list-style-type: none">1. efficient, effective, resilient, safe and sustainable energy and infrastructure, including critical infrastructure,
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	<p>strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the <u>District, region and nation</u>,¹⁴ including in response to future <u>functional, or operational needs and increased sustainability</u>¹⁵ needs such as increased sustainability, and changing techniques and technology;¹⁶</p> <p>2. there is increased renewable energy for national, regional and local use; and</p> <p>3. there is greater renewable electricity generation, including small scale or community scale renewable electricity generation, with generation surplus able to be supplied to the electricity distribution network.</p>
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Section 32AA assessment

56 I consider the recommended amendments to the objective are grammatical in nature and add to the readability of the objective. I consider that the recommended amendments to the objective are the most appropriate to achieve the purpose of the RMA.

EI-O2 - Adverse effects of energy and infrastructure

57 Mr Millar for CIAL suggests that some rephrasing of EI-O2 is necessary in order to ensure the objective does not establish a threshold that requires demonstration of functional and operation need at the same time. He suggests that 'and' is replaced by 'or'. I agree with this suggested amendment.

58 The Hearing Panel raised concerns with the term 'manage' within the objective and questioned whether this provided sufficient to direction as to the decided outcome. This is discussed in paragraphs 14 -16 above.

Recommendation

59 I recommend that EI-O2 be amended as follows:

Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being

¹⁴ Transpower New Zealand [195.24]

¹⁵ MainPower [249.52]

¹⁶ Transpower New Zealand [195.24]

are avoided, remedied or mitigated managed¹⁷, while taking into account their operational ~~and~~ or functional needs¹⁸.

Section 32AA assessment

60 I consider the amendment replacing ‘and’ with ‘or’ provides greater ability to take into account the needs of energy and infrastructure activities. I consider the recommended amendment to the objective are the most appropriate to achieve the purpose of the RMA. I also note that ‘or’ is used in EI-P5, EI-MD1, EI-MD3 and EI-MD10.

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

61 Ms Dale supports the submission of Kāinga Ora seeking the introduction of the qualifier of ‘unreasonably’ within the objective and also the removal of reference to ‘including by reverse sensitivity effects’ and the inclusion of reference to other activities.

62 Mr Hume supports the submission of Federated Farmers requesting removal of the references to ‘renewal, upgrading and development’ on the basis that infrastructure should not be prioritised over other land uses. He also supports the removal of the reference to ‘reverse sensitivity effects’ on the basis that this reference is specific.

63 I retain the view set out within paragraphs 100 - 102 of my s42A report.

Recommendation

64 No additional amendments are recommended.

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

65 Ms Dale supports the submission of Kāinga Ora seeking clarification that EI-P1(4) only applies to ‘major electricity distribution lines’ on the Mainpower network that are shown on the PDP planning maps, and not all distribution lines.

¹⁷ ECan [316.17]

¹⁸ MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12] Note: ‘avoided, remedied or mitigated’ in EI-O2 above was proposed to be deleted within my s42A report. Following the hearing I now recommend that it be retained. To avoid confusion, I have not included strike through and underling.

66 Ms McLeod supports the submission of Transpower that elevates reference of 'national, regional and local benefits of sustainable, secure and efficient electricity transmission' to the chapeau on the basis that this is a benefit itself. Within her evidence she notes that she is guided by Policy 1 of the NSPET which adopts a similar drafting style to the amendments sought within the Transpower submission.

67 In relation to the evidence of Ms Dale, I disagree that this clause should be confined to the 'National Grid transmission lines' and 'major electricity distribution lines'. I consider this clause needs to apply more broadly as it provides the policy support to rule EI-R24 which provide a permitted activity status for electricity transmission lines and electricity distribution lines.

68 In relation to the evidence of Ms McLeod, I retain the view that clause (4) should be retained as notified, and not elevated to the chapeau of the policy. I consider clause (4) is broader than just 'electricity transmission' and also applies to electricity distribution, and supply of fuel and energy. I consider the suggested amendment would only acknowledge the benefits of the electricity transmission and leave a gap in the policy related to providing for effective, safe, secure and efficient electricity distribution and supply of fuel and energy.

Recommendation

69 No additional amendments are recommended.

EI-P4 - Environmentally sustainable outcomes

70 This policy has been discussed by several planning witnesses including Mr Hume, Ms Dale and Ms Mitten. This policy is discussed in paragraphs 19 -20 above.

Recommendation

71 As set out within paragraph 20, I agree with the removal of clause 8 as I agree that this is not related to the EI chapter.

EI-P5 - Manage adverse effects of energy and infrastructure

- 72 In response to the questions from the Hearing Panel (Para 161) I agreed that there were two typos in EI-P5(1) and (3)-considered my suggested amendment to EI-O1 in response to Mainpower submission.
- 73 Mr Hume supports the submission of Federated Farmers requesting the addition of ‘rural production’ within EI-P5(2).
- 74 I disagree with this amendment. I consider ‘the well-being of people and communities’ includes rural production.
- 75 Mr Horne supports the submission of The Telecommunication Companies and supports the amendments proposed within the s42A report. He had a residual concern with the integration between the EI chapter and the NFL chapter as to how the provisions in the chapter are to be applied.
- 76 I note that the JWS – Integration has resolved this concern.
- 77 Ms McLeod supports the submission of Transpower seeking the inclusion of ‘new’ within EI-P5(3) so the policy differentiates the Plan’s approach to the operation, maintenance, upgrading and development of regionally significant infrastructure from the approach to new, and major upgrades to, regionally significant infrastructure in a manner that is consistent with the NPSET.
- 78 I disagree with this suggested amendment. I note that clause (3) relates to regionally significant infrastructure, or major upgrades to existing regionally significant infrastructure. Clause 1 relates to operation, maintenance, repair, removal and minor upgrade to infrastructure.
- 79 Ms Dale supports the submission of Kāinga Ora seeking an amendment to the chapeau to the policy as follows:
- “Manage adverse effects of energy and infrastructure on surrounding environments and community well-being, including by the following..”*
- 80 She considers the clauses (1) – (7) adequately cover environmental characteristics (for example ONLs and SNAs) but only requires consideration of ‘community well-being’ in clause 2.

81 I disagree an amendment is required. I retain the view set out in paragraph 157 of my s42A report.

82 When reflecting on EI-P5 and the rules that implement this policy, I have noticed an inconsistency between the drafting of EI-P5(3) and Rules: EI-R4, EI-R10, EI-R19B, EI-R23, EI-R24, EI-R26, EI-R28, EI-R32, EI-R34, and EI-R46. Within the amendments I have proposed to EI-P5(3) I have suggested that this clause apply 'outside of the coastal environment', whereas the rules listed above use the phrase 'places adjoining the coastal marine area'.

83 The term: 'coastal environment' is identified on the planning maps and defined within the Proposed Plan as:

'means the area shown on the planning map as being located within the inland extent of the coastal environment, identified in accordance with Policy 1 of the NZCPS.'

84 The term: 'places adjoining the coastal marine area' is defined within the Proposed Plan as:

'in relation to infrastructure and Section 51 of the NESTF, means places in the area between MHWS and the inland base of the dunes.'

85 I consider that the geographic extent of the term 'places adjoining the coastal marine area' is somewhat vague, particularly in the areas of the district where no identifiable sand dune exists. Whereas the 'coastal environment' is identified on the planning maps and can be easily identified. In addition, I consider using the term 'coastal environment' gives effect to Policy 13(b) of the NZCPS which states:

avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment

86 By referring to 'places adjoining the coastal marine area' within the rule of the EI chapter this only manages infrastructure development in part of the coastal environment.

87 As such, I recommend replacing 'places adjoining the coastal marine area' with 'coastal environment overlay' throughout the Proposed Plan.

88 I consider the scope for these recommended amendments is provided as a consequential amendment resulting from the introduction of the new rule 'how to apply the rules'. As notified, the rules within the CE chapter would have applied to infrastructure activities in the coastal environment, including CE-R3 which limits any building or structure to a maximum height of 4 metres. The recommended addition of the new rule 'how to apply the rules' means that the rules within the CE chapter no longer apply to infrastructure activities in the coastal environment overlay. This suggested amendment would ensure that the rules within the EI chapter protect the values of the coastal environment as required by CE-P2.

Recommendation

89 No additional amendments to EI-P5 are recommended.

90 The reference to 'places adjoining the coastal marine area' within rules: EI-R4, EI-R10, EI-R19B, EI-R23, EI-R24, EI-R26, EI-R28, EI-R32, EI-R34, and EI-R46 are replaced with 'coastal environment overlay'.

Section 32AA Assessment

91 I consider the recommended amendments to rules: EI-R4, EI-R10, EI-R19B, EI-R23, EI-R24, EI-R26, EI-R28, EI-R32, EI-R34, and EI-R46 ensures that the rules achieve the protection required by the NZCPS and also EI-P5, CE-P2 and CE-P7, as the amendments ensure that energy and infrastructure activities that may adversely affect the natural character of the coastal environment require a resource consent.

92 I consider the recommended amendments will have an environmental, social, and cultural effects benefit when compared to the notified provisions, as they ensures the whole of the coastal environment is protected. This additional protection may have some economic costs, as it creates a larger area where resource consents are required to established energy and infrastructure activities. On balance, I consider

replacing 'places adjoining the coastal marine area' with 'coastal environment overlay' is more effective in achieving EI-O2 and also CE-O1 and CE-O4.

EI-P6 - Effects of other activities and development on energy and infrastructure

- 93 In response to the questions from the Hearing Panel (Paras 166, 170, and 179) I re-considered the content of the Hort NZ submission in light of the suggested amendments to the Policy EI-P6(2). I agreed with the addition of the phrase 'extent reasonably possible' as I considered that it acknowledges that not all activities will be excluded from establishing within the safe buffer distances. I also acknowledge that this phrase is used within Policy 10 of the NPS-ET.
- 94 I also agreed with removing the reference to 'intensive farming activities' as there no specific restrictions of intensive farming activities within EI-R54, which is the rule that implements EI-P6(2).
- 95 Mr Hume supports the submission of Federated Farmers requesting the deletion of EI-P6 in full, largely because it goes beyond the scope of what is provided for in the NPS-ET with respect to constraints on surrounding land use in electricity transmission corridors. In addition, he considers it introduces the term 'intensive farming activities', which is not defined in the Proposed Plan.
- 96 I disagree with the removal of the policy, I consider EI-P6 is required to give effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS. As noted above, in response to the submission from Hort NZ I have suggested amendments to EI-P6 remove the reference to 'intensive farming activities'.
- 97 Ms McGuire supports the submission of KiwiRail seeking an amendment to the policy replacing the requirement to 'manage' adverse effects on infrastructure with the requirement to 'avoid' adverse effects on infrastructure. This suggested amendment is also echoed by Ms Foote who supports the submission of MainPower and Mr Millar who support the submission of CIAL who both are seeking the same amendment.

- 98 I retain the view that reference within the chapeau to ‘manage’ rather than ‘avoid’ provides for a greater breadth of management responses. In my view clause (1) – (3) within the policy explain how this management approach is to be applied.
- 99 Ms Dale supports the submission of Kāinga Ora, which suggests that the drafting of EI-P6 elevates ‘major distribution lines’ to the same level as the National Grid. She also questions 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 (NZECP 34:2001) is required in any event. She suggests that setbacks are not required in the PDP for ‘major electrical distribution lines’, and instead she suggests that mapping of these lines in the district plan can alert plan users to the presence of the lines and the EI Chapter can then refer readers to NZECP 34:2001.
- 100 I disagree with the suggested amendments. As noted in paragraphs 171 and 172 of my s42A report, I consider the requirement within EI-P6(1) gives effect to Policies 5.3.9(1) RPS. 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.
- 101 I note that the rules that implement EI-P6 were considered as part of the JWS related to NZECP 34:2001. The amendments recommended below align with my position set out within the JWS related to NZECP 34:2001.

Recommendation

- 102 I recommend that EI-P6 is amended as follows:

EI-P6	Effects of other activities and development on energy and infrastructure
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Manage adverse effects, including reverse sensitivity effects,¹⁹ of incompatible²⁰ other activities and development on energy and infrastructure, including by the following:

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~~²¹ major electricity distribution lines, in addition to (1) above, by ensuring that:
 - a. safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on ~~the National Grid and~~²² major electricity distribution lines including support structures;
 - b. sensitive activity and development that may compromise ~~the National Grid and~~²³ major electricity distribution lines, including those associated with intensive farming activities indoor primary production,²⁴ are excluded from establishing within identified safe buffer distances to the extent reasonably possible;²⁵
 - c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, ~~repair-replacement~~,²⁶ upgrading and development ~~of the National Grid and~~²⁷ major electricity distribution lines; and

2A. with regards to the National Grid, in addition to (1) above:

- a. 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
 - b. to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and²⁸
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.

¹⁹ Christchurch International Airport Ltd [254.31]

²⁰ Christchurch International Airport Ltd [254.31]

²¹ Transpower NZ Ltd [195.30]

²² Transpower NZ Ltd [195.30]

²³ Transpower NZ Ltd [195.30]

²⁴ Horticulture NZ [295.76], Federated Farmers [414.71], Transpower NZ Ltd [195.30]

²⁵ Horticulture NZ [295.76]

²⁶ Mainpower NZ Ltd [249.60]

²⁷ Transpower NZ Ltd [195.30]

²⁸ Transpower NZ Ltd [195.30]

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103 I consider the recommended amendments to the clause 2(b) of the policy listed above reflect the language used within Policy 10 of the NPS-ET and acknowledges that not all activities will be excluded from establishing within identified safe buffer distance areas. I consider the recommended amendments provide more clarity as to how EI-P6 is to be implemented and is therefore more effective in EI-O3.

104 The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from plan consistency, improved plan interpretation and more efficient plan administration.

EI-R4 - Customer connection between a building, other structure, site, and infrastructure

105 Mr Horne supports the submission of The Companies seeking clarity as to which rules apply to EI activities. He notes that Rule EW-S4 already provides an exemption for 3-waters services covered by Rule EI- R46, but not other EI rules specifically managing earthworks in 'protected root zones' such as EI-R4 and EI-R10. He suggested that an exclusion should be included within EI-R4 and EI-R10 if the EI chapter does not provide exemptions for such rules.

106 I note that the JWS – Integration has resolved this concern.

107 Mr Smith note that roads are infrastructure and that a property access is a connection between a property and infrastructure. He considers that current wording within EI-R4 is confusing. He seeks amendments to either the EI chapter or EI-R4 specifically to make it clear that EI-R4 does not apply to transport infrastructure.

108 I disagree any additional amendments are required. I note that introduction to the EI chapter states that the 'District wide provisions relating to transport are contained in the Transport Chapter'. Therefore, in my view it is clear that new vehicle access would be subject to the relevant Transport chapter provisions.

Recommendation

109 No additional amendments to EI-P4 are recommended (other than those set out in the JWS).

EI-R12 Replacement of a pole or tower

110 Mr Hume supports the submission of Federated Farmers requesting clarification of the rules, limiting them to one (replacement) event only. EI-R12 states the extent to which the size of replacement poles or towers can increase in size, as a permitted activity. EI-13 states the extent to which the size of a pole or tower is permitted increase in size if there is an addition to the pole or tower. He supports the Federated Farmers suggestion that these rules can only be used once per pole or tower on any given transmission line and that further upgrades would require consent, to prevent a potential increase in corridor width with successive upgrades, without any landholder permission.

111 I acknowledge that the way the rule is drafted this does allow a gradual increase in the pole or tower height, width, or footprint. I support the inclusion of a rule of this nature. I support the view Ms McLeod expressed at the hearing that this date should refer to the date the rule becomes operative rather than the date the rule was notified.

112 Ms Foote supports the submission of Mainpower seeking 40% height allowance. I retain the view within my s42A report that a 15% increase is appropriate as a permitted activity.

Recommendation

113 I recommend that EI-R12 is amended as follows:

EI-R12	Replacement of a pole or tower	
All Zones	Activity status: PER Where: 1. a pole shall not be replaced with a tower; 2. a replacement pole or tower	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:

	<p>shall not exceed the height in relation to infrastructure of the replaced pole or tower <u>by more than 15%</u>²⁹ <u>of the height in relation to infrastructure of the pole or tower on the date the District Plan was made operative</u>;³⁰</p> <p>3. the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point;</p> <p>4. a single pole may be replaced with a pi-pole <u>(or H-pole)</u>³¹ for safety or structural reasons, <u>and the width of the pi-pole (or H-pole) must not exceed three times that of the replaced single pole at its widest point including the cross arm</u>³²;</p> <p>5. the footprint of a <u>replaced</u></p>	<p><u>EI-MD1 - Historic heritage and the natural environment</u>³⁶</p> <p><u>EI-MD3 - Operational considerations</u>³⁷</p> <p>EI-MD14 - Extent of effects</p>
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²⁹ Transpower NZ Ltd [195.37]

³⁰ Transpower NZ Ltd [195.37]

³¹ Mainpower NZ Ltd [249.72]

³² Mainpower NZ Ltd [249.72]

³⁶ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

³⁷ Chorus, Spark and Vodafone [62.66]

	<p><u>replacement</u>³³ tower shall not exceed the width of the <u>replaced</u>³⁴ tower by more than 25%; and</p> <p>6. a replaced pole or tower shall be removed once its replacement is in place and is operational;</p> <p>7. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u></p> <ul style="list-style-type: none"> a. <u>60% for greynes s groups A or B;</u> b. <u>40% for greynes s group.</u> c. <u>B or C;</u> <u>and</u> <p>8. <u>notwithstanding (7) above, infrastructure poles and attached equipment within road reserve shall be finished in</u></p>	
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³³ Mainpower NZ Ltd [249.72]

³⁴ Mainpower NZ Ltd [249.72]

	<u>materials that will naturally weather to a non-reflective colour.</u> ³⁵	
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114 I consider the recommended amendments to the clause (2) of EI-R12 will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

EI-R13 - Addition to a pole or tower

115 In response to the questions from the Hearing Panel (Paras 259) I re-considered my suggested amendment to EI-R13 in response to Mainpower submission. I agreed that drafting proposed by MainPower is much simpler.

Recommendation

116 I recommend that EI-R13 is amended as follows:

EI-R13	Addition to a pole or tower	
All Zones	Activity status: PER Where: <u>1A. equipment added to a pole or tower shall not exceed a volume of 2m³ one of either a. or b. below:</u> <u>a. a maximum volume of 2m³; or</u> ³⁸	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage and the natural environment</u> ⁴² <u>EI-MD2 – Amenity values, location and design</u> ⁴³ <u>EI-MD3 - Operational considerations</u> ⁴⁴ <u>EI-MD14 – Extent of effects</u> ⁴⁵

³⁵ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

³⁸ Mainpower [249.74]

⁴² Mainpower [249.97]

⁴³ Mainpower NZ Ltd [249.74]

⁴⁴ Chorus, Spark and Vodafone [62.66]

⁴⁵ Mainpower NZ Ltd [249.74]

	<p>1.b. the combined diameter or width of the existing pole or tower plus the addition of equipment³⁹ (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point); and</p> <p>2. <u>equipment added to a pole or tower shall not exceed⁴⁰ the height of the existing pole or tower combined height in relation to infrastructure of the existing pole or tower plus the addition shall not exceed that of the existing pole or tower.</u>⁴¹</p>	
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117 I consider the recommended amendments to EI-R13 will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

EI-R15 - Replacement of an infrastructure cabinet, electricity cabinet and kiosk , or infrastructure building

³⁹ Mainpower NZ Ltd [249.74]

⁴⁰ Mainpower NZ Ltd [249.74]

⁴¹ Mainpower NZ Ltd [249.74]

118 In response to the questions from the Hearing Panel (Paras 268) I re-considered my suggested amendment to EI-R15 in response to Mainpower submission. I noted that note that new infrastructure buildings are required to meet the building height in relation to boundary and internal boundary setbacks (EI-R20) so I considered the replacement of existing infrastructure buildings should also be required meet these standards.

Recommendation

119 I recommend that EI-R15 is amended as follows⁴⁶:

EI-R15	Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u>⁴⁷, or infrastructure building	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the replacement shall not increase the footprint <u>or height in relation to infrastructure</u>⁴⁸ of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u>⁴⁹, or infrastructure building by more than 30%; and 2. outside a road corridor, where an existing infrastructure building is located in or adjoining 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p><u>EI-MD1 - Historic heritage and the natural environment</u>⁵²</p> <p><u>EI-MD2 – Amenity values, location and design</u>⁵³</p> <p><u>EI-MD3 - Operational considerations</u>⁵⁴</p> <p><u>EI-MD14 – Extent of effects</u>⁵⁵</p>

⁴⁶ Note: clause (2) below was proposed to be deleted within my s42A report. Following the hearing I now recommend that it be retained. To avoid confusion, I have not included black strike through and blue underling.

⁴⁷ Mainpower NZ Ltd [249.75]

⁴⁸ Mainpower NZ Ltd [249.75]

⁴⁹ Mainpower NZ Ltd [249.75]

⁵² Mainpower [249.97]

⁵³ Mainpower NZ Ltd [249.75]

⁵⁴ Chorus, Spark and Vodafone [62.66]

⁵⁵ Mainpower NZ Ltd [249.75]

	<p>Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the replacement infrastructure building shall comply with the building internal boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3.⁵⁰</p> <p><u>2A the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u>⁵¹</p>	
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120 The recommended amendments revert back to the notified version of the rule by retaining clause (2) of EI-R12. Therefore, no s32AA assessment is required for this change.

EI-R16: Upgrading above-ground lines, ducts, cables and pipes

121 Mr Hume supports the submission of Federated Farmers which raised concerns with the substantial amount of upgrading enabled, as a permitted activity by EI-R16. Mr Dean supports the Federated Farmers

⁵⁰ Mainpower NZ Ltd [249.75]

⁵¹ Mainpower [249.75]

submission that EI-R16 be a restricted discretionary activity status, with the matter of discretion (EI-MD14) being extent of effects.

122 I retain the view set out in paragraph 283 my s42A report.

Recommendation

123 No additional amendments to EI-P16 are recommended.

EI-R51, EI-R52, EI-R54 - National Grid Yard and major electricity distribution line setbacks

124 Mr Dean, Ms Dale, and Ms McLeod all provided evidence on EI-R51, EI-R52 and EI-R54. These rules were discussed within the JWS for the EI Chapter related to the NZECP 34:2001.

125 In response to the questions from the Hearing Panel (Paras 399 and 407) I re-considered my suggested amendment to EI-R51 clause 3(a). I acknowledged that as a permitted activity it is not clear what 'hazardous substances with explosive or flammable intrinsic properties' are or how 'greater than domestic scale quantities' would be administered. I considered this clause should be deleted.

126 I also acknowledge the standalone non-complying activity rule associated with EI-R51 was an anomaly and is not consistent with other NC rules. I noted that the matters listed within the standalone NC rule appear to replicate the requirements in the rule above. In my view the standalone non-complying activity rule is not required and can be deleted.

Recommendation

127 I recommend that clause 3(a) of EI-R51 and the standalone non-complying activity rule associated with EI-R51 be deleted as follows:

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
All Zones	Activity status: PER Where: <u>1. ...</u> <u>2. ...</u>	Activity status when compliance not achieved: NC Notification An application under this rule is precluded from being publicly notified, but may be

	<p><u>3. a building or structure provided for by (2)(a) to (d) must:</u></p> <p><u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u></p> <p><u>b.</u></p>	<p>limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>
<p>All Zones</p>	<p>Activity status: NC Where:</p> <p>1. activities and development within a National Grid Yard involve the following:</p> <p>a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure;</p> <p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> <p>d. dairy/milking sheds or buildings for <u>intensive indoor</u></p>	<p>Activity status when compliance not achieved: N/A⁵⁹</p>

⁵⁹ Transpower NZ Ltd [195.43]

	<p>primary production intensive farming^{56, 57,} or wintering barns; and</p> <p>e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> • National Grid transmission lines are shown on the planning map. 	

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128 I consider the recommended amendments to the clause 3(a) of EI-R51 will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

EI-MD6

⁵⁶ Transpower NZ Ltd [195.43]
⁵⁷ Horticulture NZ [295.80]
⁵⁸ Federated Farmers of NZ Inc. [414.81]

129 Ms McLeod considers that the recommended amendments to EI-MD6, in conjunction with other Matters of Discretion (such as EI-MD3) generally 'capture' the potential adverse effects of new National Grid assets. She also supports the deletion of clauses (1) and (3) on the basis that these are not relevant to the new National Grid assets.

130 However, she considers an additional clause is necessary to allow for a consideration of 'the benefits of the National Grid' in order to give effect to Policy 1 of the NPSET. She also suggests that EI-MD6 should apply to Rule EI-R25 (that is now Rule EI-R19B) so that new National Grid substations are similarly subject to the considerations directed by the NPSET.

131 I agree with Ms McLeod that an additional clause allowing for a consideration of 'the benefits of the National Grid' within EI-M6 will assist in giving effect to Policy 1 of the NPSET. I also agree that EI-M6 should be included within EI-R19B, as the matters of discretion within EI-MD6 could also apply to electricity distribution elements of the national grid.

132 In response to the questions from the Hearing Panel (Paras 489) I re-considered my suggested amendment to EI-MD6. I now recommend the removal of the word 'significant'.

Recommendation

133 I recommend that EI-MD6 is amended as follows:

EI-MD6	<p>Electricity transmission and electricity distribution</p> <p><u>1A. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape.</u>⁶⁰</p> <p><u>1B. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure.</u>⁶¹</p> <p>1. Extent of effects on access to and the operation, maintenance, upgrade development and structural integrity of the electricity transmission and electricity distribution network.⁶²</p> <p>2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <p>3. Nature of technical advice provided by infrastructure operators and extent of compliance with it.⁶³</p> <p>4. Risk of electrical hazards affecting public safety and risk of property damage.</p> <p><u>5. The benefits of the related infrastructure.</u>⁶⁴</p>
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134 I consider the recommended amendments to EI-MD6 will not have any greater environmental, economic, social, and cultural effects than the notified provisions. I consider that the removal of the phrase ‘significant’ ensures that the language within the matter of discretion is consistent with other matters of discretion and better reflects the drafting of EI-P5(2). In addition, I consider the addition of clause (5) will assist in giving effect to Policy 1 of the NPSET. I consider the recommended amendments will improve plan consistency and in turn there will be benefits from improved plan interpretation and more efficient plan administration.

‘Electricity cabinets and kiosks’ definition

135 Ms Foote supports the submission of Mainpower seeking the addition of a new definition for ‘Electricity cabinets and kiosks’.

⁶⁰ Transpower NZ Ltd [195.49]

⁶¹ Transpower NZ Ltd [195.49]

⁶² Transpower NZ Ltd [195.49]

⁶³ Transpower NZ Ltd [195.49]

⁶⁴ Transpower NZ Ltd [195.50]

136 Within paragraph 193 of my s42A report I supported the introduction of a new rule EI-R19A and also the introduction of a new definition of 'Electricity cabinets and kiosks'.

Recommendation

137 No additional amendments to the Proposed Plan are recommended.

'Important infrastructure' definition

138 Ms Foote supports the submission of Mainpower which opposed the use of multiple terms used for infrastructure in the PDP. Ms Foote prefers consolidating the terms 'Critical Infrastructure', 'Regionally Significant Infrastructure' and 'Strategic Infrastructure' into one definition, 'important infrastructure'. She notes that this term is successfully used in the proposed Selwyn District Plan and considers it will simplify and streamlines the PDP for plan users.

139 I disagree with the suggested amendment. I retain the view set out within paragraph 76 of my s42A report.

Recommendation

140 No additional amendments to the Proposed Plan are recommended.

'Major electricity distribution lines' definition

141 In response to the questions from the Hearing Panel (Paras 428) I agreed that a definition of 'major electricity distribution lines' would add to the readability of the PDP. As such, I have recommended the addition of a new definition of 'major electricity distribution lines'. I consider the scope for this amendment comes from the Mainpower submission point seeking the removal of the phrase: '66kV or 33kV electricity distribution line' with 'major electricity distribution line'.

Recommendation

142 That a definition of major electricity distribution lines' be added to the Proposed Plan as follows:

<p><u>MAJOR</u> <u>ELECTRICITY</u> <u>DISTRIBUTION</u> <u>LINES</u></p>	<p><u>means: an overhead electricity distribution line as shown on the planning maps that is built to operate at a voltage of 33kV or greater.⁶⁵</u></p>
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143 I consider the recommended definition will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

Minor Changes

144 The following minor changes are also recommended to the EI chapter as a result of questions from the Hearing Panel at the hearing:

- Remove 'Kaiapoi' from the Introduction section as there is not a hospital in Kaiapoi.
- Replace 'more than minor' with 'major' within EI-P5(2) to align with EI-P5(3A) and Policy 4 of the NPS-ET.
- Include the words 'above ground' into the advice note associated with EI-R10.
- Remove EI-MD14 from EI-R13.
- Include the words 'including notable trees' into the title of EI-R6.
- Replace 'Mainpower NZ' with 'relevant electricity distribution line operator' within the notification provision associated with EI-R55.
- Replace 'does not comply' with 'compliance' within EI-R55(1)(b) to better align with the drafting of the chapeau.
- Remove the word 'existing' from EI-MD4(1).

⁶⁵ Mainpower NZ Ltd [249.92]

- Replace the word 'means' with 'includes' within the definition of 'infrastructure'.
- Replace 'and' with 'or' and include an additional 'an' into the definition of 'infrastructure cabinet'.
- Delete the definition of 'national grid subdivision corridor'.

145 These changes have been included within Appendix 1.

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168. I consider the recommended amendment to the provisions listed above are minor in nature but provides more clarity as to how these provisions are to be implemented which is more effective in achieving the objectives of the EI chapter.

RESPONSE TO MATTERS RELATING TO 'PRIMACY'

146 The Hearings Panel has requested this right of reply include an assessment of any potential implications that may arise in respect of the EI chapter objectives, should the objectives in the Strategic Directions (SD) chapter be given 'primacy', or not, and that this be carried out in accordance with the approach set out in Mr Buckley's memorandum dated 29 September 2023 (refer Minute 11, issued 2 October 2023, paragraphs 8 and 10).

147 I confirm I have read Mr Buckley's memo dated 29 September 2023, and I have also read the legal advice provided by Buddle Findlay relating to the primacy of Strategic Directions objectives dated 26 September 2023.

148 Paragraph 9 in Mr Buckle memo states:

"As stated in Minute 10, Council report authors will undertake an evaluation of potential implications for each chapter's objectives within the Proposed Plan based upon the following different primacy approaches:

(a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan;

(b) *SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):*

(i) *SD objectives inform objectives and policies contained in other chapters;*

(ii) *Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*

(iii) *SD objectives are used to resolve conflict with objectives and policies in other chapters; and*

(iv) *SD objectives override all other objectives and policies in the plan."*

149 Within the following paragraphs I consider each of the potential approaches listed within paragraph 9 of Mr Buckleys memo:

No primacy approach

150 I note that the 'Interpretation and application of this chapter' section of the SD Chapter provides as explanation as to the purpose of the strategic objectives. It states:

For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the more detailed provisions contained in the District Plan.

For the purpose of District Plan implementation, including the determination of resource consent applications:

1. *the strategic objectives may provide guidance for related objectives and policies in other chapters; and*
2. *the relevant objectives and policies of the District Plan, including strategic objectives in this chapter, are to be considered together and no hierarchy exists between them.*

151 In my opinion, this explanation implies that in the context of plan development the strategic objectives already have a degree of primacy over the chapter provisions, as the latter 'provide direction' to the

former. If a 'no primacy' approach is preferred, an amendment to the 'Interpretation and application of this chapter' section would be required. I do not recommend this approach, as I consider it is helpful that the SD Chapter 'provide direction' to plan development processes.

'Inform' approach

152 As set out in the above paragraphs, in my view this is the way the current SD chapter applies within the Proposed Plan. I understand this reflects the way the Proposed Plan was developed. In the context of the EI chapter, I understand that the provisions of the EI chapter have been informed by the relevant strategic objective being SD-O3 – Energy and Infrastructure.

153 If this approach was to be adopted, I consider no additional amendments would be required to the EI chapter or the SD-O3.

'Consistent with' approach

154 I consider this is largely the same as the 'inform' approach discussed in the paragraph above, albeit that be 'consistent with' is slightly more directive. In the context of the EI chapter, I consider the provisions of the EI chapter are 'consistent with' the relevant strategic objective (SD-O3).

155 If this approach was to be adopted, I consider no additional amendments would be required to the EI chapter or the SD-O3.

156 Note: within my initial reply report, responding to a question from the Hearing Panel, I have recommended an amendment to SD-O3 to ensure that the strategic objective gives effect to the RPS and the NPSET. Regardless of which approach to 'primacy' is preferred by the Hearing Panel, I still recommend the amendment to SD-O3.

'Resolve conflicts' approach

157 I consider this approach would also be problematic, I consider 'conflicts' within objectives should be resolved by assessing a proposal on a case-by-case basis and the resolution of the 'conflict', if one exists, would be contextual and depend on the effects of the proposal, the location, etc.

158 In the context of the EI chapter, in my view, this is not necessary as the provisions of the EI have been drafted in a manner that resolves conflicts via the nature of the language within the provisions. Where potential conflict may occur, such as the establishment of regionally significant infrastructure within sensitive environments (i.e., SNA's, ONL/F's, etc) EI-P5 sets out a pathway for those activities that resolves that conflict.

159 If the 'resolve conflicts' approach is preferred, I consider a considerable re-think of SD-O3 and the rest of the SD chapter would be required in order to establish a decision-making framework that could assist in resolving conflict with objectives and policies in other chapters. I do not recommend this approach.

'Override' approach

160 I consider this approach would also be problematic, in the context of the EI chapter, I note that the relevant strategic objective SD-O3 provides a high-level outcome statement which is further particularised in the objectives, policies, and methods in the EI chapter. As currently drafted, I do not think this approach it would assist plan implementation. If SD-O3 as to 'override' all other objectives and policies, in my view there is not enough detail within SD-O3 to helpful in a decision making context.

161 As an example, SD-O3(2)(a) and (b) directs that infrastructure is able to operate efficiently and effectively 'while' managing adverse effect on the surrounding environment. If this was the 'overriding' provision, in my view, decision makers would have enough detail within the objective to balance those potentially competing outcomes.

162 If the 'override' approach is preferred, I consider a considerable re-think of SD-O3, and the rest of the SD chapter would be required in order to provide a great deal more specificity as to outcomes sought. This is likely to be an impossible task given the complexity of a District Plan. I do not recommend this approach.

Date: 30 November 2023

A handwritten signature in black ink, appearing to be 'A. K. M.', written on a light-colored rectangular background.

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APPENDIX 1 - RECOMMENDED AMENDMENTS TO PDP PROVISIONS

El - Pūngao me te hanganga hapori - Energy and Infrastructure

Introduction

The term 'infrastructure' is defined in section 2 of the RMA. The RPS defines the terms 'critical infrastructure', 'strategic infrastructure', and 'regionally significant infrastructure'. There is considerable overlap in the types of infrastructure covered by these terms. Infrastructure may be provided by network utilities, or by entities other than network utilities, including the private provision of and connection to infrastructure. Critical, strategic, and regionally significant infrastructure and network utilities are recognised through provisions within this chapter which acknowledge their important function and service to the community.¹

Some types of infrastructure are addressed within other parts of the District Plan, as follows:

- District wide provisions relating to transport are contained in the Transport Chapter, which also forms part of Part 2 – District Wide Matters - Energy, Infrastructure and Transport;
- Rangiora Airfield is provided for by designations, which contain conditions, and the District wide Transport and Noise chapters also contain provisions relating to the Airfield;
- The existing Rangiora hospital and Oxford hospital and ancillary health related activities on those hospital sites are provided for under the Special Purpose Zone (Hospital);
- An emergency service facility, or a health related activity located outside of the existing Rangiora and Kaiapoi² hospital sites, are subject to the provisions of the relevant zone in which they are located.

This chapter contains provisions for other types of infrastructure, and is consistent with Part 2 - District Wide Matters- Strategic Directions, NESETA, NESF and the NESTF. It also gives effect to the matters in Part 2 - District Wide Matters - Urban Form and Development, NPSET, NZCPS, NPSFM and the NPSREG.

~~Other potentially relevant District Plan provisions~~

~~As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Energy and Infrastructure include:~~

- ~~• Transport: the Transport rules apply to all activities and activities are subject to compliance with all relevant Transport rules. The application of the transport provisions is discussed further in the Transport rules.~~
- ~~• Natural Hazards: this chapter contains provisions that may be relevant to managing the risk to energy and infrastructure from natural hazards.~~
- ~~• Historic Heritage: this chapter contains provisions relevant to protecting places with heritage values, such as historic heritage buildings or other structures or their heritage settings.~~
- ~~• Notable Trees: this chapter contains provisions relevant to matters such as protecting the root protection area or the trimming or removal of notable trees.~~

¹ CIAL [254.25]

² Clause 16(2)

- ~~Sites and Areas of Significance to Māori: this chapter contains provisions relevant to protecting SASM from adverse effects.~~
- ~~Ecosystems and Indigenous Biodiversity: this chapter contains provisions that control SNAs and the clearance of areas of indigenous vegetation across the District.~~
- ~~Natural Character of Freshwater Bodies: this chapter contains provisions regarding activities within natural character of scheduled freshwater bodies setbacks.~~
- ~~Natural Features and Landscapes: this chapter contains provisions for activities within ONL, ONF, and SAL.~~
- ~~Subdivision: this chapter contains provisions that may be relevant to subdivision for energy and infrastructure.~~
- ~~Earthworks: this chapter contains provisions that may be relevant to earthworks for energy and infrastructure such as volume, depth and location.~~
- ~~Any other District wide matter that may affect or relate to the site.~~
- ~~Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.³~~

Objectives	
EI-O1	<p>Provision of energy and infrastructure Across the District:</p> <ol style="list-style-type: none"> 1. efficient, effective, resilient, safe and sustainable energy and infrastructure, including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, region and nation,⁴ including in response to future functional, or operational needs and increased sustainability⁵ needs such as increased sustainability, and changing techniques and technology,⁶ 2. there is increased renewable energy for national, regional and local use; and 3. there is greater renewable electricity generation, including small scale or community scale renewable electricity generation, with generation surplus able to be supplied to the electricity distribution network.
EI-O2	<p>Adverse effects of energy and infrastructure Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated managed⁷, while taking into account their operational and or functional needs⁸.</p>
EI-O3	<p>Effects of other activities and development on energy and infrastructure The safe, efficient and effective operation, maintenance, repair, renewal,⁹ upgrading and development of energy and infrastructure is not constrained or compromised by incompatible¹⁰ activities and development, including by reverse sensitivity effects.</p>

³ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6],

⁴ Transpower New Zealand [195.24]

⁵ MainPower [249.52]

⁶ Transpower New Zealand [195.24]

⁷ ECan [316.17]

⁸ MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12]

⁹ Federated Farmers [414.68]

¹⁰ MainPower [249.54], CIAL [254.28]

Policies	
EI-P1	<p>Recognising the benefits of, and providing for, energy and infrastructure 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 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 community scale renewable electricity generation; and 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.
EI-P2	<p>Availability, provision and adequacy of, and connection to, energy and infrastructure Across the District:</p> <ol style="list-style-type: none"> 1. to benefit the social, economic, cultural and environmental well-being of the District: <ol style="list-style-type: none"> a. ensure land use and development is coordinated with, and to the extent considered reasonably practicable, connected to and adequately serviced by energy and infrastructure, if available, including electricity, water supply, wastewater system and stormwater infrastructure; and b. ensure that connectivity to communications infrastructure can be achieved; and 2. where a public reticulated water supply or wastewater system is not available, adequate on site systems shall be installed consistent with maintaining public health and avoiding or mitigating adverse effects on the environment, while discouraging small scale stand alone systems.
EI-P3	<p>New technologies and techniques Provide flexibility for energy and infrastructure to adopt new technologies and techniques that:</p> <ol style="list-style-type: none"> 1. improve access to, and efficient use of, networks and services; 2. allow for the re-use of redundant services and structures; 3. increase resilience, safety or reliability of networks and services; and

	4. result in environmental benefits and enhancements.
EI-P4	<p>Environmentally sustainable outcomes <u>Encourage</u> Seek more¹¹ more environmentally sustainable outcomes associated with energy and infrastructure, <u>where possible</u>¹², including by promoting¹³:</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 <u>excluding wilding or pest species</u>¹⁴, or the establishment and restoration of wetlands; <u>and</u> 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; <u>and</u> 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.¹⁵
EI-P5	<p>Manage adverse effects of energy and infrastructure Manage adverse effects of energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. enabling or providing¹⁶ <u>for</u> the ongoing operation, maintenance, repair, <u>renewal</u>¹⁷, removal and minor upgrade of existing energy and infrastructure; 2. <u>providing for new energy and infrastructure, or more than minor major upgrades to existing energy and infrastructure while</u>¹⁸ avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects¹⁹ on: <ol style="list-style-type: none"> a. natural and physical resources; b. amenity values; c. <u>an existing</u>²⁰ sensitive activity; d. the safe and efficient operation of other infrastructure; e. the health, safety and well-being of people and communities; <p><u>3A. using major upgrades to existing energy and infrastructure as an opportunity to reduce existing adverse effects where appropriate to do so;</u>²¹</p>

¹¹ Kainga Ora [325.25]

¹² Kainga Ora [325.25]

¹³ Kainga Ora [325.25]

¹⁴ ECAN [316.20]

¹⁵ Kainga Ora [325.25]

¹⁶ Transpower [195.29]

¹⁷ Federated Farmers [414.68] – Consequential amendment – EI-O3

¹⁸ Transpower [195.29]

¹⁹ Transpower [195.29]

²⁰ Transpower [195.29]

²¹ Transpower [195.29]

	<p>3. <u>outside of the coastal environment, regionally significant new energy²² and infrastructure</u>, or major upgrades to existing <u>regionally significant energy and²³ infrastructure</u>, should, to the extent <u>considered²⁴ practicable</u>, 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"> ONF, ONL and SAL; areas of ONC, VHNC and HNC, and natural character of scheduled freshwater bodies setbacks; SNAs; buildings, other structures and settings with heritage values, and archaeological sites; SASM; places adjoining the coastal marine area;²⁵ <p>4. where <u>regionally significant energy and²⁶ infrastructure</u>, or major upgrades to existing <u>regionally significant energy and²⁷ infrastructure</u>, cannot locate outside of the sensitive environments in (3) above, the energy and infrastructure should, to the extent <u>considered²⁸ practicable</u>, 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> <ol style="list-style-type: none"> <u>regionally significant energy and²⁹ infrastructure</u> will be located in more compromised parts of the areas in (3) above where that reduces adverse effects on the values of those areas; techniques (such as structure selection or construction methodology) will be used to mitigate adverse effects on the areas in (3) above; adverse effects on the areas in (3) above will be remedied or mitigated; <p>5. consider biodiversity offset, <u>where there is a strong likelihood that the offset will be achieved in perpetuity,</u>³⁰ for residual adverse effects on indigenous biodiversity that cannot otherwise be avoided, remedied or mitigated;</p> <p>6. avoiding <u>or mitigating³¹</u> 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</p> <p>7. promoting the undergrounding of new energy and infrastructure where it is:</p> <ol style="list-style-type: none"> technically feasible; economically viable; justified by the extent of adverse visual effects if not placed underground.
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²² Forest and Bird [192.39]

²³ Forest and Bird [192.39]

²⁴ Transpower [195.29]

²⁵ Forest and Bird [192.39]

²⁶ Forest and Bird [192.39]

²⁷ Forest and Bird [192.39]

²⁸ Transpower [195.29]

²⁹ Forest and Bird [192.39]

³⁰ ECan [316.21]

³¹ Transpower [195.29]

EI-P6	<p>Effects of other activities and development on energy and infrastructure</p> <p>Manage adverse effects, <u>including reverse sensitivity effects</u>,³² of <u>incompatible</u>³³ 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 and³⁴ 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 and³⁵ major electricity distribution lines including support structures; b. sensitive activity and development that may compromise the National Grid and³⁶ major electricity distribution lines, <u>including those associated with intensive farming activities indoor primary production</u>,³⁷ are excluded from establishing within identified safe buffer distances <u>to the extent reasonably possible</u>;³⁸ c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair <u>replacement</u>,³⁹ upgrading and development of the National Grid and⁴⁰ major electricity distribution lines; and <p><u>2A. with regards to the National Grid, in addition to (1) above:</u></p> <ol style="list-style-type: none"> <u>a. 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> <u>b. to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and</u>⁴¹ 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.
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Rules

How to interpret and apply the rules

1. The rules All of the provisions in the following District-wide chapters apply in addition to Energy and Infrastructure:
 - a. ~~SD - Strategic Directions~~
 - b. TRAN - Transport;
 - c. HS - Hazardous substances;

³² Christchurch International Airport Ltd [254.31]

³³ Christchurch International Airport Ltd [254.31]

³⁴ Transpower NZ Ltd [195.30]

³⁵ Transpower NZ Ltd [195.30]

³⁶ Transpower NZ Ltd [195.30]

³⁷ Horticulture NZ [295.76], Federated Farmers [414.71], Transpower NZ Ltd [195.30]

³⁸ Horticulture NZ [295.76]

³⁹ Mainpower NZ Ltd [249.60]

⁴⁰ Transpower NZ Ltd [195.30]

⁴¹ Transpower NZ Ltd [195.30]

- d. ~~CL - Contaminated land;~~
 - e. ~~NH - Natural hazards;~~
 - f. ~~SUB - Subdivision;~~
 - g. ~~EW - Earthworks;~~
 - h. ~~LIGHT - Light;~~
 - i. ~~NOISE - Noise; and~~
 - j. ~~SIGNS - Signs;~~
2. ~~The objectives, policies, associated planning map layers, schedules, tables and appendices (excluding rules) in the following District-wide chapters apply to Energy and Infrastructure where relevant:~~
- a. ~~HH - Historic Heritage;~~
 - b. ~~TREE~~
 - c. ~~Notable Trees;~~
 - d. ~~SASM - Sites and Areas of Significance to Maori;~~
 - e. ~~ECO - Ecosystems and Indigenous Biodiversity;~~
 - f. ~~NATC - Natural Character of Freshwater Bodies;~~
 - k. ~~NFL - Natural Features and Landscapes, and~~
 - l. ~~CE - Coastal environment.~~
- 3.2. ~~The rules in all other chapters not the District-wide chapters listed in (21) above do not apply to Energy and Infrastructure, instead the rules in the Energy and Infrastructure chapter apply, except in the following circumstances:~~
- g. ~~Relocation of any historic heritage listed in HH-SCHED2 must comply with HH-R4, HH-R6 and HH-R8;~~
 - h. ~~Demolition of historic heritage items listed in HH-SCHED2 must comply with HH-R7 and HH-R9; and~~
 - i. ~~Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7; and~~
 - j. ~~Where specified in the Energy and Infrastructure rules.~~
 - k. ~~New irrigation infrastructure must comply with ECO-R4 and NFL-R8;~~
 - l. ~~New buildings and structures within a SAL, ONF and ONF must comply with NFL-S1 and NFL-S2; and~~
 - m. ~~Planting of vegetation within a SNA must comply with ECO-R3;~~
4. ~~The rules in other District-wide chapters not listed in (1) or (2) above do not apply to Energy and Infrastructure; and~~
5. ~~The rules in the zone chapters generally do not apply to Energy and Infrastructure, except in the following circumstances:~~
- a. ~~The Special Purpose Zone (Hospital) rules apply to activities on the Rangiora and Oxford hospital sites;~~
 - b. ~~Emergency service facilities, or any health-related activity outside the Rangiora and Oxford hospital sites, are subject to the rules of the zone in which they are to be located;~~
 - c. ~~The Energy and Infrastructure rules apply in the Special Purpose Zone (Kainga Nohoanga) (see SPZ(KN)-APP1 and SPZ(KN)-APP2);~~
 - d. ~~Habitable buildings are subject to the rules of the zone in which they are to be located.~~
3. ~~For completeness, all objectives, policies, associated planning map layers, schedules, and appendices apply to Energy and Infrastructure.~~⁴²

Activity Rules - General (applicable to all energy and infrastructure)

EI-R1	Maintenance or removal of existing infrastructure and ancillary vehicle access tracks
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⁴² Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

	<i>This rule does not apply to widening or extension of existing vehicle access tracks provided for under EI-R2.</i>	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
EI-R2	Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure	
	<i>This rule applies to the construction of new vehicle access tracks in circumstances other than as provided for under EI-R23.</i>	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> the activity shall comply with Earthworks standards EW-S1 to EW-S7, as well as any Earthworks standards in any relevant overlay.⁴³ <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7</u>⁴⁴ 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage, cultural values and the natural environment</u> ⁴⁵ <u>EI-MD3 - Operational considerations</u> ⁴⁶ EI-MD9 - Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure
EI-R3	Ancillary infrastructure equipment	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
EI-R4	Customer connection between a building, other structure, site, and infrastructure	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> a new customer connection shall not involve alteration to a <u>historic heritage</u> building or other <u>structure listed in HH-SCHED2 with heritage values.</u>⁴⁷ a new customer connection shall not involve earthworks in 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment <u>EI-MD3 - Operational considerations</u> ⁵¹

⁴³ Transpower [195.32]

⁴⁴ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁴⁵ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁴⁶ Chorus, Spark and Vodafone [62.66]

⁴⁷ Clause 16(2)

⁵¹ Chorus, Spark and Vodafone [62.66]

the root protection area of a notable tree, except where the works:

- a. involve installation at least 1m below existing ground level;
 - and
 - b. are limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods;
 - and
 - c. have an entry point either:
 - i. located outside of the root protection area;
 - or
 - ii. with a maximum area of 1m².
3. a new customer connection shall not involve earthworks in the following areas (except where earthworks are located in a road corridor or accessway, or where connections are an extension of existing infrastructure adjoining a site, or where connections are undertaken by trenchless means):
- a. SNAs;
 - b. ~~places adjoining the coastal marine~~

	<p style="text-align: center;"><u>area the coastal environment⁴⁸.</u></p> <p>4. a new customer connection shall not involve above ground infrastructure in the following areas (except where located in a road corridor):</p> <ul style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; and c. places adjoining the coastal marine <u>area the coastal environment⁴⁹.</u> <p>5. above ground infrastructure for a new customer connection shall comply with all other relevant or applicable Energy and Infrastructure rules; <u>and</u></p> <p>6. <u>the activity shall comply with Earthworks standards EW-S1, EW-S5, EW-S6, and EW-S7.</u>⁵⁰</p>	
<p>Advisory Note</p> <ul style="list-style-type: none"> • Check also EI-R45 Requirement to connect to water supply, wastewater system or stormwater infrastructure. 		
<p>EI-R5 Meteorological and environmental sensing and monitoring equipment, and navigational aid</p>		
<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. new meteorological and environmental sensing and monitoring equipment, and navigational aid, with a height in relation to infrastructure greater than 1.8m or an area greater than 6m² shall 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment</p>

⁴⁸ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁴⁹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁵⁰ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

	<p>not be located in the following areas (except where located in a road corridor):</p> <ul style="list-style-type: none"> a. SNAs; b. ONF, ONL and SAL; and c. areas of ONC, VHNC and HNC; <u>and</u>. <p>2. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>⁵²</p>	
EI-R6	Trimming or removal of trees <u>including notable trees</u>⁵³ and vegetation	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the trimming or removal of trees and vegetation is by an operator of an overhead line or other infrastructure or by their nominated contractor or agent, where required for the safe operation or maintenance of overhead lines or other infrastructure. 2. <u>where the trimming is undertaken on any Notable Tree the works or maintenance is undertaken by, or supervised by, a suitably qualified and experienced arborist.</u>⁵⁴ 	Activity status when compliance not achieved: N/A

⁵² Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁵³ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁵⁴ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p>Advisory Notes</p> <ul style="list-style-type: none"> • This rule applies to situations such as protecting the security⁵⁵, safe operation or maintenance of infrastructure⁵⁶ overhead lines or removing an associated potential fire electrical risk or risk to the public⁵⁷, or maintaining sight lines from an intersection. • A check should be made to determine whether any requirements may apply under the following: <ul style="list-style-type: none"> ○ Electricity (Hazards from Trees) Regulations 2003; ○ Telecommunications Act 2001; and ○ NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. • The Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7⁵⁸ 	
<p>EI-R7</p>	<p>Freestanding pole in the road corridor</p> <p><i>This rule does not apply to poles provided for in the activities in the following rules:</i></p> <ul style="list-style-type: none"> - EI-R12 Replacement of a pole or tower - EI-R24 New overhead transmission lines and electricity distribution lines and supporting poles and towers - EI-R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers - EI-R28 New overhead telecommunication lines and supporting poles - EI-R29 New amateur radio configurations - EI-R41 New small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation - EI-R44 New large scale wind turbine(s) for large scale renewable electricity generation⁵⁹ 	
<p>All Zones</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum height in relation to infrastructure of a new freestanding pole in the road corridor shall comply with the following height in relation to infrastructure limits when adjoining: <ol style="list-style-type: none"> a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m; and 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment⁶² EI-MD3 – Operational considerations⁶³ EI-MD14 - Extent of effects

⁵⁵ Transpower [195.33]

⁵⁶ KiwiRail [373.26]

⁵⁷ Transpower [195.33]

⁵⁸ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁵⁹ Clause 16(2) amendment

⁶² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

⁶³ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

	<p>b. all other zones: 25m²;</p> <p>2. <u>the activity is located within an ONL, ONF, or SAL, infrastructure poles and attached equipment within road reserve shall be finished in materials that will naturally weather to a non-reflective colour; and</u>⁶⁰</p> <p>3. <u>the activity shall comply with Earthworks standards EW-S6 and EW-S7.</u>⁶¹</p>	
EI-R8	Installation of new infrastructure within an existing building	
All Zones	<p>Activity status: PER Where:</p> <p>1. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values.</u>⁶⁴</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment <u>EI-MD3 - Operational considerations</u>⁶⁵</p>
EI-R9	Use of temporary infrastructure	
	<i>This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36; or installation, maintenance, repair, upgrading or removal of new infrastructure for assessing a site or technology for suitability for renewable electricity generation provided for in EI-R39.</i>	
All Zones	<p>Activity status: PER Where:</p> <p>1. the temporary infrastructure shall operate for a maximum of 12 months from the commencement of the works or activity, or until the works or activity or a stage of the works or activity for which the temporary infrastructure is required is complete, whichever is greater, at</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage, cultural values and the natural environment</u>⁶⁷ <u>EI-MD3 - Operational considerations</u>⁶⁸ EI-MD4 - Health and safety EI-MD14 - Extent of effects</p>

⁶⁰ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

⁶¹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁶⁴ Clause 16(2)

⁶⁵ Chorus, Spark and Vodafone [62.66]

⁶⁷ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁶⁸ Chorus, Spark and Vodafone [62.66]

	<p>which time the temporary infrastructure shall be removed from the site; <u>and</u></p> <p>2. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, and EW-S6, EW-S7.</u>⁶⁶</p>	
EI-R10	Installation of new infrastructure, or upgrading of existing infrastructure, underground	
	<i>This rule does not apply to underground infrastructure established under EI-R45 or EI-R46.</i>	
All Zones	<p>Activity status: PER Where:</p> <p>1. new installations shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site, or where installations are by trenchless means, or are as specified otherwise below)⁶⁹:</p> <p>a. the root protection area of a notable tree, except where the installation:</p> <ul style="list-style-type: none"> i. is at least 1m below ground level; and ii. is limited to hand digging, trenchless means or air spade, hydro 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design (<u>clause 4 only</u>)⁷⁴</p> <p>EI-MD3 - Operational considerations</p>

⁶⁶ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁶⁹ Chorus, Spark and Vodafone [62.30]

⁷⁴ Transpower NZ Ltd [195.35]

	<p>vac or directional drilling methods;</p> <p>and</p> <p>iii. has an entry point either:</p> <p>a. located outside of the root protection area;</p> <p>or</p> <p>b. with a maximum area of less than 1m²;</p> <p>b. SNAs;</p> <p>c. places adjoining the coastal marine area <u>the coastal environment</u>⁷⁰;</p> <p>and</p> <p>2. <u>upgrades of existing underground infrastructure</u>⁷¹ (except where located in a road corridor or accessway, <u>or are an extension of existing infrastructure adjoining a site, or where installations are by trenchless means</u>), upgrades of existing underground infrastructure⁷²</p> <p>underground infrastructure shall not increase the area occupied by the infrastructure, or realign or relocate the infrastructure, so that it</p>	
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⁷⁰ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁷¹ Chorus, Spark and Vodafone [62.30]

⁷² Chorus, Spark and Vodafone [62.30]

	<p>further encroaches into the areas listed in (1) above;</p> <p>3. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, EW-S7;</u> <u>and</u></p> <p>4. <u>for pole foundations, the activity shall comply with Earthworks standards EW-S6, and EW-S7.</u> ⁷³</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> See also EI-R11 Relocation of <u>above ground</u>⁷⁵ infrastructure; EI-R32 Installation of gas distribution pipeline and fuel systems (including LPG); and EI-R33 An increase in the carrying or operating capacity, efficiency or security of existing gas distribution pipeline and fuel systems. 	
EI-R11	Relocation of <u>above ground</u>⁷⁶ infrastructure	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the relocation shall be within 5m of the existing alignment or location; <u>the relocation shall not be located in the root protection area of a notable tree (except where located in a road corridor);</u> <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, EW-S7; and</u> <u>For pole foundations, the activity shall comply with Earthworks standards EW-S6, and EW-S7.</u> ⁷⁷ For relocation of infrastructure within roads, EI-R19 applies instead. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p><u>EI-MD1 - Historic heritage, cultural values and the natural environment</u>⁷⁸</p> <p><u>EI-MD3 - Operational considerations</u>⁷⁹</p> <p>EI-MD10 - Relocation of existing infrastructure</p>

⁷³ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁷⁵ Chorus, Spark and Vodafone [62.31]

⁷⁶ Chorus, Spark and Vodafone [62.31]

⁷⁷ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁷⁸ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

⁷⁹ Chorus, Spark and Vodafone [62.66]

	Exemption	
	<ul style="list-style-type: none"> This rule does not apply to transport infrastructure. 	
	Advisory Note	
	<ul style="list-style-type: none"> See also EI-R10 (2) Installation of new infrastructure, or upgrading of existing infrastructure, underground.⁸⁰ 	
EI-R12	Replacement of a pole or tower	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> a pole shall not be replaced with a tower; a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower <u>by more than 15%⁸¹ of the height in relation to infrastructure of the pole or tower on the date the District Plan was made operative.⁸²</u> the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point; a single pole may be replaced with a pi-pole <u>(or H-pole)</u>⁸³ for safety or structural reasons, <u>and the width of the pi-pole (or H-pole) must not exceed three times that of the replaced single pole at its widest point including the cross arm</u>⁸⁴; the footprint of a replaced 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment⁸⁹ EI-MD3 - Operational considerations⁹⁰ EI-MD14 - Extent of effects

⁸⁰ Chorus, Spark and Vodafone [62.31]

⁸¹ Transpower NZ Ltd [195.37]

⁸² Transpower NZ Ltd [195.37]

⁸³ Mainpower NZ Ltd [249.72]

⁸⁴ Mainpower NZ Ltd [249.72]

⁸⁹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

⁹⁰ Chorus, Spark and Vodafone [62.66]

	<p><u>replacement</u>⁸⁵ tower shall not exceed the width of the <u>replaced</u>⁸⁶ tower by more than 25%; and</p> <p>6. a replaced pole or tower shall be removed once its replacement is in place and is operational⁸⁷;</p> <p>7. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u></p> <ul style="list-style-type: none"> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group.</u> c. <u>B or C; and</u> <p>8. <u>notwithstanding (7) above, infrastructure poles and attached equipment within road reserve shall be finished in materials that will naturally weather to a non-reflective colour: and</u>⁸⁷</p> <p>9. <u>the activity shall comply with Earthworks standards EW-S6, and EW-S7.</u>⁸⁸</p>	
EI-R13	Addition to a pole or tower	

⁸⁵ Mainpower NZ Ltd [249.72]

⁸⁶ Mainpower NZ Ltd [249.72]

⁸⁷ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

⁸⁸ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

<p>All Zones</p>	<p>Activity status: PER Where:</p> <p><u>1A. equipment added to a pole or tower shall not exceed a volume of 2m³ one of either a. or b. below:</u></p> <p><u>a. a maximum volume of 2m³; or⁹¹</u></p> <p><u>1.b. the combined diameter or width of the existing pole or tower plus the addition of equipment⁹² (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point); and</u></p> <p><u>2. equipment added to a pole or tower shall not exceed⁹³ the height of the existing pole or tower combined height in relation to infrastructure of the existing pole or tower plus the addition shall not exceed that of the existing pole or tower.⁹⁴</u></p> <p><u>3. equipment added to a pole or tower located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes,</u></p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p><u>EI-MD1 - Historic heritage and the natural environment⁹⁶</u></p> <p><u>EI-MD2 – Amenity values, location and design⁹⁷</u></p> <p><u>EI-MD3 - Operational considerations⁹⁸</u></p> <p><u>EI-MD14 – Extent of effects⁹⁹</u></p>
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⁹¹ Mainpower [249.74]

⁹² Mainpower NZ Ltd [249.74]

⁹³ Mainpower NZ Ltd [249.74]

⁹⁴ Mainpower NZ Ltd [249.74]

⁹⁶ Mainpower [249.97]

⁹⁷ Mainpower NZ Ltd [249.74]

⁹⁸ Chorus, Spark and Vodafone [62.66]

⁹⁹ Mainpower NZ Ltd [249.74]

	<p><u>has a reflectivity value of a maximum of:</u></p> <ol style="list-style-type: none"> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group.</u> c. <u>B or C; and</u> <p>4. <u>notwithstanding (2) above, equipment added to a pole or tower within road reserve shall be finished in materials that will naturally weather to a non-reflective colour.</u>⁹⁵</p>	
EI-R14	Replacement of an antenna	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. a replacement antenna shall not increase the diameter of an existing dish antenna or the width of an existing panel antenna by more than 20%⁹⁵; 2. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage and the natural environment</u>¹⁰¹ <u>EI-MD3 - Operational considerations</u>¹⁰² EI-MD14 - Extent of effects</p>

⁹⁵ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁰¹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁰² Chorus, Spark and Vodafone [62.66]

	<p>a. <u>60% for greyness groups A or B;</u></p> <p>b. <u>40% for greyness group; and</u></p> <p>3. <u>notwithstanding (2) above, antennas attached to infrastructure poles within road reserve shall be finished in materials that will naturally weather to a non-reflective colour.</u>¹⁰⁰</p>	
EI-R15	Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u>¹⁰³, or infrastructure building	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the replacement shall not increase the footprint <u>or height in relation to infrastructure</u>¹⁰⁴ of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u>¹⁰⁵, or infrastructure building by more than 30%; and outside a road corridor, where an existing infrastructure building is located in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the replacement infrastructure building shall comply with the building internal 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p><u>EI-MD1 - Historic heritage and the natural environment</u>¹⁰⁹</p> <p><u>EI-MD2 – Amenity values, location and design</u>¹¹⁰</p> <p><u>EI-MD3 - Operational considerations</u>¹¹¹</p> <p><u>EI-MD14 – Extent of effects</u>¹¹²</p>

¹⁰⁰ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁰³ Mainpower NZ Ltd [249.75]

¹⁰⁴ Mainpower NZ Ltd [249.75]

¹⁰⁵ Mainpower NZ Ltd [249.75]

¹⁰⁹ Mainpower [249.97]

¹¹⁰ Mainpower NZ Ltd [249.75]

¹¹¹ Chorus, Spark and Vodafone [62.66]

¹¹² Mainpower NZ Ltd [249.75]

	<p>boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3.¹⁰⁶</p> <p><u>2A the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u>¹⁰⁷</p> <p>3. <u>The replacement shall not be located in the root protection area of a notable tree (except where located in a road corridor); and</u></p> <p>4. <u>the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹⁰⁸</p>	
EI-R16 Upgrading above-ground lines, ducts, cables and pipes		
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. upgrading is by: <ol style="list-style-type: none"> a. the addition of <u>adding</u>¹¹³ wires, cables, circuits or conductors; b. the re-conductoring of the line with higher capacity conductors; c. the re-sagging of conductors; d. the addition of <u>installing</u>¹¹⁴ longer or more efficient insulators; 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>¹¹⁸ EI-MD14 - Extent of effects</p>

¹⁰⁶ Mainpower NZ Ltd [249.75]

¹⁰⁷ Mainpower [249.75]

¹⁰⁸ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

¹¹³ Mainpower NZ Ltd [249.76]

¹¹⁴ Mainpower NZ Ltd [249.76]

¹¹⁸ Chorus, Spark and Vodafone [62.66]

	<ul style="list-style-type: none"> e. the addition of <u>adding</u>¹¹⁵ of cross arms; f. the bundling of lines (in the absence of cross arms); g. the addition of <u>adding</u>¹¹⁶ earth wires (which may contain telecommunication lines, earthpeaks and lightning rods); or h. the replacement <u>of any of the above</u>.¹¹⁷ <ol style="list-style-type: none"> 2. the diameter of a replacement conductor or line shall not exceed the diameter of the existing conductor or line, or 50mm, whichever is greater; 3. additional conductors or lines: <ul style="list-style-type: none"> a. shall not increase the number of conductors or lines by more than 100%; and b. shall each have a maximum diameter of 50mm; 4. additional cross arms shall not exceed the length of an existing cross arm by more than 100%, up to a maximum of 4m; 5. the bundling of lines (in the absence of cross arms) shall not exceed 100mm in total; and 6. the diameter of a replacement above-ground duct or pipe shall not exceed the diameter of the existing 	
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¹¹⁵ Mainpower NZ Ltd [249.76]

¹¹⁶ Mainpower NZ Ltd [249.76]

¹¹⁷ Mainpower NZ Ltd [249.76]


	above-ground duct or pipe by more than 300mm.	
EI-R17	Installation of new mid-span poles	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the installation of new mid-span poles is to address safety clearances for overhead lines; and 2. the maximum number of additional mid-span poles shall be 2.; and 3. <u>the activity shall comply with Earthworks standards EW-S6, and EW-S7.</u>¹¹⁹ 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage and the natural environment</u>¹²⁰ <u>EI-MD3 - Operational considerations</u>¹²¹ EI-MD14 - Extent of effects</p>
EI-R18	Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. pipes, cables, conductors or lines: <ol style="list-style-type: none"> a. shall be attached to the underside of the bridge, or incorporated within the bridge, tunnel or culvert structure, or within an existing attached conduit, duct or pipe; b. the maximum diameter of any new conduit, duct or pipe shall be 300mm; and c. any new conduits, ducts or pipes in (b) above shall be in a cluster of no more than two conduits, ducts or pipes in total;¹²² and 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational consideration</p>


¹¹⁹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23], Mainpower [249.1]

¹²⁰ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹²¹ Chorus, Spark and Vodafone [62.66]

¹²² Chorus, Spark and Vodafone [62.32]

	<p>d. shall not be attached to a bridge, tunnel or culvert with heritage values.</p> 	
EI-R19	New infrastructure cabinet	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 5. a new infrastructure cabinet is located underground; or 6. a new above-ground infrastructure cabinet shall not exceed the following: <ol style="list-style-type: none"> a. when located in the road corridor adjoining: <ol style="list-style-type: none"> i. Residential Zones: <ol style="list-style-type: none"> 1. maximum height in relation to infrastructure: 1.8m; and 2. maximum floor area (excluding plinths or foundations): 1.4m²; ii. all other zones: <ol style="list-style-type: none"> 1. maximum height in relation to infrastructure: 2m; and 2. maximum floor area (excluding plinths or foundations): 2m²; b. when located outside the road corridor in: <ol style="list-style-type: none"> i. Residential Zones: <ol style="list-style-type: none"> 1. maximum height in relation to 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational consideration

	<p>infrastructure: 2m; and</p> <ol style="list-style-type: none"> 2. maximum floor area (excluding plinths or foundations): 2.5m²; ii. all other zones: <ol style="list-style-type: none"> 1. maximum height in relation to infrastructure: 2.5m; and 2. maximum floor area (excluding plinths or foundations): 5m²; <p>and</p> <p>7. a new infrastructure cabinet shall not be located in the following areas (except where located in a road corridor):</p> <ol style="list-style-type: none"> a. the root protection area of a notable tree <u>(except where located in a road corridor)</u>;  and b. SNAs_i; <p>8. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u></p> <ol style="list-style-type: none"> a. <u>60% for greyness groups A or B;</u> 	
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	<p>b. <u>40% for greyness group C: and</u>¹²³</p> <p><u>9. the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹²⁴</p>	
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EI-R19A <u>New electricity cabinets and kiosks</u> ¹²⁵		
<u>All Zones</u>	<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>The electricity cabinet and kiosk does not exceed:</u> <ol style="list-style-type: none"> a. <u>2m height in relation to infrastructure;</u> and b. <u>13m² in area;</u> and 2. <u>The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):</u> <ol style="list-style-type: none"> a. <u>The root protection area of a notable tree;</u> and b. <u>SNAs;</u>¹²⁶ 3. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>EI-MD1 - Historic heritage and the natural environment</u></p> <p><u>EI-MD2 - Amenity values, location and design</u></p> <p><u>EI-MD3 - Operational consideration</u>¹²⁹</p>

¹²³ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹²⁴ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹²⁵ Mainpower NZ Ltd [249.80]

¹²⁶ Mainpower NZ Ltd [249.80]

¹²⁹ Mainpower NZ Ltd [249.80]

	<p>a. <u>60% for greyness groups A or B;</u></p> <p>b. <u>40% for greyness group C; and.</u>¹²⁷</p> <p>4. <u>the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹²⁸</p>	
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<u>EI-R19B</u>	<u>New, or expansion of existing, transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)</u> ¹³⁰	
	<p><u>This rule does not include:</u></p> <ul style="list-style-type: none"> • <u>new infrastructure buildings provided for in EI-R20</u> • <u>new electricity cabinets and kiosks provided for in EI-RXX</u> • <u>new permanent emergency or back-up electricity generation provided for in EI-R36.</u> 	
<u>All Zones</u>	<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>the activity shall comply with the following when located in the road corridor:</u> <ol style="list-style-type: none"> <u>maximum floor area (excluding plinths or foundations): 10m²;</u> <u>maximum height in relation to infrastructure: 3m;</u> <u>the activity shall comply with the following when located outside the road corridor:</u> <ol style="list-style-type: none"> <u>maximum height in relation to infrastructure: 5.5m;</u> <u>maximum floor area (excluding plinths or foundations): 40m²;</u> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> <u>EI-MD1 - Historic heritage and the natural environment</u> <u>EI-MD2 - Amenity values, location and design</u> <u>EI-MD3 - Operational considerations</u> <u>EI-MD4 - Health and safety</u> <u>EI-MD5 - Electricity generation</u>¹³³

¹²⁷ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹²⁸ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹³⁰ Mainpower NZ Ltd [249.87]

¹³³ Mainpower NZ Ltd [249.87]

	<p>c. <u>in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</u></p> <p>3. <u>the activity shall not be located in the following areas (except where located in a road corridor):</u></p> <ul style="list-style-type: none"> a. <u>the root protection area of a notable tree;</u> b. <u>SASM;</u> c. <u>SNAs;</u> d. <u>ONF, ONL and SAL;</u> e. <u>areas of ONC, VHNC and HNC;</u> f. <u>natural character of scheduled freshwater bodies setbacks;</u> <p><u>and</u></p> <ul style="list-style-type: none"> g. places adjoining the coastal marine area <u>the coastal environment</u>¹³¹. <p>4. <u>the activity shall comply with Earthworks standards EW-S1, EW-</u></p>	
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¹³¹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p><u>S2, EW-S5, EW-S6, and EW-S7</u>¹³²</p>	
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EI-R20	New infrastructure building	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. a new infrastructure building located in the road corridor shall comply with the following: <ol style="list-style-type: none"> a. maximum floor area (excluding plinths or foundations): 10m²; and b. maximum height in relation to infrastructure: 3m; 2. a new infrastructure building located outside the road corridor shall comply with the following: <ol style="list-style-type: none"> a. maximum height in relation to infrastructure: 5.5m; b. maximum floor area (excluding plinths or 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations

¹³² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]





	<p>foundations): 30m²;</p> <p>c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</p> <p>3. a new infrastructure building shall not be located in the following areas (except where located in a road corridor):</p> <p>a. the root protection area of a notable tree;</p> <p>b. SASM;</p> <p>c. SNAs;</p> <p>d. ONF, ONL and SAL; and</p> <p>e. areas of ONC, VHNC and HNC.</p> <p>4. the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7.¹³⁴</p>	
EI-R21	Activities that generate radiofrequency fields	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <p>1. any activity generating radiofrequency fields shall not exceed the maximum exposure</p>	<p>Activity status when compliance not achieved: NC</p>

¹³⁴ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	level for the general public in NZS 2772.1:1999 Radiofrequency Fields - Maximum Exposure Levels - Part 1 - 3 kHz to 300 GHz.	
EI-R22	Activities that generate electric and magnetic fields	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> any activity generating electric and magnetic fields shall not exceed the maximum exposure levels for the general public, as measured and assessed in accordance with the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No. 238, June 2007). 	Activity status when compliance not achieved: NC
EI-R23	Construction of new, <u>or widening or extension of existing</u>¹³⁵, vehicle access tracks ancillary to infrastructure <u>which that</u>¹³⁶ are located in specified sensitive environments	
All Zones	Activity status: RDIS Where: <ol style="list-style-type: none"> the new vehicle access track is located within the following areas: <ol style="list-style-type: none"> ONF, ONL and SAL; areas of ONC, VHNC and HNC; natural character of scheduled 	Activity status when compliance not achieved: N/A

¹³⁵ Transpower NZ Ltd [195.40]

¹³⁶ Transpower NZ Ltd [195.40]

	<p>freshwater bodies setbacks;</p> <p> d. the root protection area of a notable tree;</p> <p> e. SNAs;</p> <p> and</p> <p>f. places adjoining the coastal marine area the coastal environment¹³⁷.</p> <p> Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD9 - Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure</p>	
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Activity Rules - Electricity transmission and electricity distribution

EI-R24	New overhead transmission lines and electricity distribution lines and supporting poles and towers	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall not be located in the following areas (except where located in a road corridor): <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; and c. places adjoining the coastal marine area 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p> <p>EI-MD4 - Health and safety</p> <p>EI-MD6 - Electricity transmission and electricity distribution</p>

¹³⁷ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

the coastal environment

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-  2. supporting poles and towers shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site):
- a. the root protection area of a notable tree;
 -  b. SNAs;
 -  and
3. supporting poles and towers shall have the following maximum height in relation to infrastructure in:
- a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), and Special Purpose Zone (Pines Beach and Kairaki Regeneration) : 18m; and
 - b. all other zones and the adjoining road corridor: 25m.
4. the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7.¹³⁹

¹³⁸ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

¹³⁹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

EI-R25	Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building) ¹⁴⁰	
	This rule does not include: <ul style="list-style-type: none"> • new permanent emergency or back-up electricity generation provided for in EI-R36. 	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity transmission and electricity distribution; 2. the activity shall comply with the following when located in the road corridor: <ol style="list-style-type: none"> a. maximum floor area (excluding plinths or foundations): 40m²; b. maximum height in relation to infrastructure: 3m; 3. the activity shall comply with the following when located outside the road corridor: <ol style="list-style-type: none"> a. maximum height in relation to infrastructure: 5.5m; b. maximum floor area (excluding plinths or foundations): 30m²; c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> EI-MD1—Historic heritage and the natural environment EI-MD2—Amenity values, location and design EI-MD3—Operational considerations ¹⁴¹

¹⁴⁰ Mainpower NZ Ltd [249.87]

¹⁴¹ Mainpower NZ Ltd [249.87]

	<p style="text-align: center;">relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</p> <p style="text-align: center;">4. the activity shall not be located in the following areas (except where located in a road corridor):</p> <p style="text-align: center;">a. the root protection area of a notable tree;</p> <p style="text-align: center;">b. SASM;</p> <p style="text-align: center;">c. SNAs;</p> <p style="text-align: center;">d. ONF, ONL and SAL;</p> <p style="text-align: center;">e. areas of ONC, VHNC and HNC;</p> <p style="text-align: center;">f. natural character of scheduled freshwater bodies setbacks;</p> <p style="text-align: center;">and</p> <p style="text-align: center;">g. places adjoining the coastal marine area.</p>	
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Activity Rules - Communication facilities

EI-R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers		
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity shall not be located in the following areas (except where located in a road corridor): <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; c. natural character of scheduled freshwater bodies setbacks; 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations

	<p>d. places adjoining the coastal marine area the coastal environment¹⁴²;</p> <p>e. the root protection area of a notable tree;</p> <p>f. SASM;</p> <p>g. SNAs;</p> <p><u>1A. the activity is located within the road corridor within an ONL, ONF, SAL, exterior building materials shall be finished in materials that will naturally weather to a non-reflective colour.</u>¹⁴³</p> <p>2. in the road corridor:</p> <p>a. supporting poles and towers shall have the following maximum height in relation to infrastructure when adjoining:</p> <p>i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m;</p> <p>ii. all other zones: 25m;</p> <p>b. dish antennas shall have the following maximum diameter when adjoining:</p> <p>i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki</p>	
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¹⁴² Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

¹⁴³ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]


	<p>Regeneration): 0.38m;</p> <p>ii. all other zones: 1.2m;</p> <p>3. outside the road corridor:</p> <p>a. supporting poles and towers shall have the following maximum height in relation to infrastructure in:</p> <p>i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m</p> <p>ii. Commercial and Mixed Use Zones, Industrial Zones and all other Special Purpose Zones:</p> <p>a. 25m; or</p> <p>b. 30m where two or more infrastructure operators utilise the same structure;</p> <p>iii. Rural Zones:</p> <p>a. 35m; or</p> <p>b. 40m where two or more infrastructure operators utilise the same structure;</p> <p>b. dish antennas shall have the following maximum diameter in:</p> <p>i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m;</p>	
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	<p style="text-align: center;">ii. all other zones: 1.8m;</p> <p>c. supporting poles and towers in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with the internal boundary building setback requirements for the zone or adjoining zone;</p> <p>4. any headframe shall have the following maximum diameter in:</p> <p>a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) <u>and the adjoining road corridor</u>¹⁴⁴: 2.5m;</p> <p>b. all other zones and the adjoining road corridor: 6m;</p> <p>5. omni-directional 'whip' or di-pole antennas shall comply with the following:</p> <p>a. maximum height: 1.6m and may extend above the maximum height in relation to infrastructure of</p>	
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¹⁴⁴ Chorus, Spark and Vodafone [62.33]

	<p>the supporting pole or tower;</p> <p>b. maximum diameter: 60mm;</p> <p>c. maximum horizontal length: 1.5m; and</p> <p>6. panel antennas shall comply with either of the following, whichever is the lesser:</p> <p>a. a maximum width of 0.7m and a maximum length of 3.5m; or</p> <p>b. a maximum surface area of the largest face of 1.5m².</p> <p>7. the activity shall comply with Earthworks standards EW-S6, and EW-S7.</p> <p>145</p>	
<p>EI-R27 New radiocommunication and telecommunication facilities attached to buildings</p>		
<p>All Zones</p>	<p>Activity status: PER Where:</p> <p>1. dish antennas shall comply with the following maximum diameter in:</p> <p>a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m;</p> <p>b. all other zones: 1.8m;</p> <p>2. panel antennas shall comply with either of the following, whichever is the lesser:</p> <p>a. a maximum width of 0.7m and a</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p>

¹⁴⁵ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<p>maximum length of 3.5m; or</p> <p>b. a maximum surface area of the largest face of 1.5m²;</p> <p>3. any antenna shall not exceed a maximum height of 5m above the highest point of attachment to a building;</p> <p>4. if a building is located in Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the lowest point of attachment for antennas to the building shall be at least 15m above ground level; and</p> <p>5. new installations shall not involve alteration to a building with heritage values-; <u>and</u></p> <p> 9. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u></p> <p>a. <u>60% for greyness groups A or B;</u></p> <p>b. <u>40% for greyness group C.</u>¹⁴⁶</p>	
EI-R28	New overhead telecommunication lines and supporting poles	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <p>1. the activity shall not be located in the</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p>

¹⁴⁶ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<p>following areas (except where located in a road corridor):</p> <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; c. places adjoining the coastal marine area the coastal environment 147. <p>2. supporting poles shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site):</p> <ol style="list-style-type: none"> a. the root protection area of a notable tree; b. SNAs; <p>and</p> <p>3. supporting poles shall comply with the following maximum height in relation to infrastructure in:</p> <ol style="list-style-type: none"> a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) <u>and the</u> 	<p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p>
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¹⁴⁷ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p><u>adjoining road corridor</u>¹⁴⁸. 18m; and</p> <p>b. all other zones and the adjoining road corridor: 25m.</p> <p>4. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, EW-S7; and</u></p> <p>5. <u>For pole foundations, the activity shall comply with Earthworks standards EW-S6, and EW-S7.</u></p> <p>149</p>	
EI-R29 New amateur radio configurations		
All Zones	<p>Activity status: PER Where:</p> <p>1. the maximum height in relation to infrastructure of any pole shall be 20m; <u>1A any part of a pole above 5m height in relation to infrastructure shall have a maximum diameter of 50mm</u>¹⁵⁰</p> <p><u>1B unless otherwise specified below, poles shall be exempt from height in relation to boundary requirements but remain subject to boundary setbacks for the zone;</u>¹⁵¹</p> <p>2. there shall be a maximum of one pole per site;¹⁵²</p> <p>3. any antenna other than a simple wire dipole <u>or dish antenna</u>¹⁵³ shall</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p>

¹⁴⁸ Chorus, Spark and Vodafone [62.34]

¹⁴⁹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁵⁰ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹⁵¹ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹⁵² Waimakariri District Council [367.16]

¹⁵³ New Zealand Association of Radio Transmitters, Inc. [157.1]

	<p>comply with the following:</p> <ul style="list-style-type: none"> a. any element comprising the antenna shall be a maximum of 0.08m in diameter and 14.9m in length; b. for horizontal HF yagi or loop antenna the boom length shall be a maximum of 13m; c. no part of any antenna, pole or guy wire shall overhang the boundary of the site; and <p>4. any dish antenna <u>with a maximum diameter of 2m or more</u>¹⁵⁴ shall comply with the following:</p> <ul style="list-style-type: none"> <u>a1. there shall be no more than one such dish antenna;</u> a. <u>the dish antenna shall have</u>¹⁵⁵ a maximum diameter of: 5m; b. <u>the dish antenna shall</u> be pivoted <u>at</u> less than 4m above the ground <u>level</u>; c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), <u>the dish antenna</u>¹⁵⁶ shall comply with building height in relation to 	
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¹⁵⁴ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹⁵⁵ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹⁵⁶ New Zealand Association of Radio Transmitters, Inc. [157.1]

	<p>boundary and boundary setbacks for the zone or adjoining zone; and</p> <p>d. a maximum of one dish antenna per site.¹⁵⁷</p> <p>5. <u>any dish antenna with a maximum diameter of less than 2m shall comply with the following:</u></p> <ul style="list-style-type: none"> a. <u>there shall be no more than two such dish antennas;</u> b. <u>such dish antennas may be mounted on poles or a building;</u> c. <u>such dish antennas shall not exceed a maximum height in relation to infrastructure of 14m;</u> d. <u>such dish antennas shall be exempt from height in relation to boundary requirements but remain subject to boundary setbacks for the zone;</u>¹⁵⁸ <p>6. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for</u></p>	
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¹⁵⁷ Waimakariri District Council [367.16]

¹⁵⁸ New Zealand Association of Radio Transmitters, Inc. [157.1]


	<p><u>Building Purposes, has a reflectivity value of a maximum of:</u></p> <p>a. <u>60% for greyness groups A or B;</u></p> <p>b. <u>40% for greyness group C; and</u>¹⁵⁹</p> <p>7. <u>the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹⁶⁰</p>	
EI-R30 New communication kiosk		
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum height in relation to infrastructure (excluding any small cell unit or antenna in (3) below) shall be 3.5m; 2. the maximum area (excluding plinths or foundations) shall be 1.5m²; and 3. any attached small cell unit or antenna shall be less than 1m in height and shall not have a horizontal dimension greater than the horizontal dimensions of the communication kiosk; and 4. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes,</u> 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>EI-MD1 - Historic heritage and the natural environment</p> <p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p>

¹⁵⁹ Transpower New Zealand Ltd [195.84], and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁶⁰ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<p><u>has a reflectivity value of a maximum of:</u></p> <p>a. <u>60% for greyness groups A or B;</u></p> <p>b. <u>40% for greyness group C.</u>¹⁶¹</p> <p><u>5. the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹⁶²</p>	
EI-R31	New small cell unit	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A

Activity Rules - Fuel and energy

EI-R32	Installation of gas distribution pipeline and fuel systems (including LPG)	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. a gas distribution pipeline shall have a maximum gauge pressure of 2,000 kilopascals; 2. the activity shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site, or as specified otherwise below): <ol style="list-style-type: none"> a. the root protection area of a notable tree, except where the installation: <ol style="list-style-type: none"> i. is at least 1m below ground level;  <p>and</p> 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations EI-MD4 - Health and safety EI-MD7 - Gas distribution

¹⁶¹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁶² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]


	<p>ii. is limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods;</p> <p>and</p> <p>iii. has an entry point either:</p> <p>a. located outside of the root protection area;</p> <p>or</p> <p>b. with an area of less than 1m²;</p> <p>b. SNAs;</p> <p>c. places adjoining the coastal marine area <u>the coastal environment</u>¹⁶³;</p> <p>d. ONF, ONL and SAL; and</p> <p>e. areas of ONC, VHNC and HNC.</p> <p>3. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7.</u>¹⁶⁴</p>	
<p>Advisory Notes</p> <ul style="list-style-type: none"> • See also EI-R10 Installation of new infrastructure, or upgrading of existing infrastructure, underground. • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. 		

¹⁶³ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

¹⁶⁴ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<ul style="list-style-type: none"> Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply. 	
EI-R33	An increase in the carrying or operating capacity, efficiency or security of existing gas distribution pipeline and fuel systems	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> if infrastructure is replaced, the replacement shall be of the same or a similar scale and character to that which is replaced. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, locations and design EI-MD3 - Operational considerations
	Advisory Notes <ul style="list-style-type: none"> See also EI-R10 Installation of new infrastructure, or upgrading of existing infrastructure, underground; and EI-R11 Relocation of infrastructure. A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply. 	
EI-R34	New tanks for the storage of gas and fuel (including LPG)	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> new above ground tanks shall comply with the built form standards for the relevant zone or overlay; and the activity shall not be located in the following areas: <ol style="list-style-type: none"> SASM; SNAs; places adjoining the coastal marine area <u>the coastal environment</u>¹⁶⁵. ONF, ONL and SAL; areas of ONC, VHNC and HNC; and natural character of scheduled 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations EI-MD4 - Health and safety

¹⁶⁵ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p>freshwater bodies setbacks.</p> <p></p> <p>3. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW S4, EW-S5, EW-S6, and EW-S7.</u></p> <p>166</p>	
<p>Advisory Notes</p> <ul style="list-style-type: none"> • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. • Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply. 		
<p>EI-R35 Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)</p>		
<p><i>This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36.</i></p>		
<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity generation; 2. the activity shall comply with the following when located in the road corridor: <ol style="list-style-type: none"> a. maximum floor area (excluding plinths or foundations): 10m²; b. maximum height in relation to infrastructure: 3m; 3. the activity shall comply with the following when located outside the road corridor: <ol style="list-style-type: none"> a. maximum height in relation to infrastructure: 5.5m; 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 – Historic heritage and the natural environment EI-MD2 – Amenity values, locations and design EI-MD3 – Operational considerations EI-MD4 – Health and safety EI-MD5 – Electricity generation¹⁶⁷

¹⁶⁶ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁶⁷ Mainpower [249.87]

	<p>b. maximum floor area (excluding plinths or foundations): 30m²;</p> <p>c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</p> <p>4. the activity shall not be located in the following areas (except where located in a road corridor):</p> <p>a. the root protection area of a notable tree;</p> <p>b. SASM;</p> <p>c. SNAs;</p> <p>d. ONF, ONL and SAL;</p> <p>e. areas of ONG, VHNC and HNC;</p> <p>f. natural character of scheduled freshwater bodies setbacks;</p> <p>and</p> <p>g. places adjoining the coastal marine area.</p>	
EI-R36	New permanent emergency or back-up electricity generation	
	<i>This rule does not apply to temporary portable or transportable electricity generation provided for in EI-R9.</i>	

<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. new permanent emergency or back-up electricity generation (including any associated energy storage batteries): <ol style="list-style-type: none"> a. is not the primary electricity supply to the site; and b. shall comply with the built form standards for the relevant zone or overlay-; <u>and</u> 2. <u>the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> <ol style="list-style-type: none"> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C.</u>¹⁶⁸ 3. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>¹⁶⁹ 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage, cultural values and the natural environment</u>¹⁷⁰ <u>EI-MD3 - Operational considerations</u>¹⁷¹ EI-MD14 - Extent of effects</p>
<p>EI-R37</p>	<p>New electricity generation other than renewable electricity generation</p>	

¹⁶⁸ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]


¹⁶⁹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁷⁰ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]


¹⁷¹ Chorus, Spark and Vodafone [62.66]

	<i>This rule does not apply to temporary portable or transportable electricity generation provided for in EI-R9; or new permanent emergency or back-up electricity generation provided for in EI-R36.</i>	
All Zones	Activity status: NC	Activity status when compliance not achieved: N/A

Activity Rules - Renewable energy

EI-R38	New self-contained power unit	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. installation shall not involve alteration to a <u>historic heritage</u> structure <u>listed in HH-SCHED2 with heritage values.</u>¹⁷² 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment
EI-R39	New infrastructure for assessing a site or technology for suitability for renewable energy including renewable electricity generation	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity involves installation, maintenance, repair, upgrading or removal of infrastructure for assessing a site or technology for suitability for renewable energy including renewable electricity generation; 2. infrastructure shall be on site for a maximum of 24 months in any 36 month period; 3. the activity shall not involve earthworks (except where located in a road corridor) on SASM;  and 4. infrastructure shall not be located in the following areas (except where located in a road corridor): <ol style="list-style-type: none"> a. SNAs; 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations

¹⁷² Clause 16(2)

	 <ul style="list-style-type: none"> b. ONF, ONL and SAL; and c. areas of ONC, VHNC and HNC. 	
EI-R40	New solar cell(s) for small scale or community scale renewable electricity generation	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity involves the installation, maintenance, upgrading or removal of a solar cell(s) in the circumstances specified below; 2. the electricity generated is either: <ol style="list-style-type: none"> a. solely for use on a site and ancillary to the principal use of the site; or b. for use on a site and ancillary to the principal use of the site, and also for supply to not more than 20 other sites; and c. any surplus of electricity generated may be distributed to the electricity distribution network; 3. if a solar cell(s) is located on the roof of a building in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the solar cell(s) shall comply with the following (as applicable): <ol style="list-style-type: none"> a. on new buildings, shall comply with 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design <u>EI-MD3 - Operational considerations</u>¹⁷⁶ EI-MD5 - Electricity generation

¹⁷⁶ Chorus, Spark and Vodafone [62.66]

	<p>the height in relation to boundary requirement for the zone or adjoining zone; or</p> <p>b. if located on an existing building in or adjoining a zone in (3) above that already breaches the applicable height in relation to boundary requirement, the solar cell(s) may also breach it; or</p> <p>c. if located on an existing building in or adjoining a zone in (3) above that does not breach the applicable height in relation to boundary requirement, the solar cell(s) shall also not breach it; and</p> <p>4. new installations shall not involve alteration to a <u>historic heritage</u> building or other structure <u>listed in HH-SCHED2 with heritage values</u>; and¹⁷³</p> <p>5. <u>where the activity is located within an ONL, ONF, SAL, the activity must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u></p> <p><u>a. 60% for greyness groups A or B;</u></p>	
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¹⁷³ Clause 16(2)

	<p><u>b. 40% for greyness group C.</u>¹⁷⁴</p> <p><u>6. the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>¹⁷⁵</p>	
EI-R41	New small scale <u>free standing and roof mounted</u>¹⁷⁷ wind turbine(s) for small scale or community scale renewable electricity generation	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity involves the installation, maintenance, upgrading or removal of a small scale wind turbine(s) in the circumstances specified below; 2. the electricity generated is either: <ol style="list-style-type: none"> a. solely for use on a site and ancillary to the principal use of the site; or b. for use on a site and ancillary to the principal use of the site, and also for supply to a maximum of 20 other sites; and c. any surplus of electricity generated may be distributed to the electricity distribution network; 3. if standard (2)(a) above applies, a maximum of one wind turbine shall be erected on a site; 4. if standard (2)(b) above applies, a maximum of one wind turbine shall be erected for each site, with either one turbine 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations EI-MD4 - Health and safety EI-MD5 - Electricity generation

¹⁷⁴ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁷⁵ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁷⁷ Waimakariri District Council [367.50]

	<p>placed on each site or the turbines clustered on one or more of the sites;</p> <p>5. new installations shall not involve alteration to a <u>historic heritage structure listed in HH-SCHED2 with heritage values</u>,¹⁷⁸</p> <p>6. the activity shall not be located in the following areas:</p> <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; c. <u>SNA's</u>¹⁷⁹; <p>7. <u>for free standing wind turbines</u>.¹⁸⁰</p> <ol style="list-style-type: none"> a. each wind turbine (including the full extent of blades) shall comply with road and internal boundary building setback requirements for the zone; and b. the maximum permitted height in relation to infrastructure of each wind turbine (including the full extent of blades) is 20m. 	
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¹⁷⁸ Clause 16(2)

¹⁷⁹ Department of Conservation [419.47]

¹⁸⁰ Waimakariri District Council [367.50]


	<p>8. <u>for roof mounted wind turbines:</u></p> <p style="margin-left: 20px;">a. <u>the maximum permitted height of each wind turbine (including the full extent of the blades) is 3m above the highest point of attachment to the roof of a building;</u></p> <p style="margin-left: 20px;">b. <u>there shall be no more than one wind turbine per building; and</u></p> <p style="margin-left: 20px;">c. <u>the wind turbine shall be exempt from height in relation to boundary requirements.</u>¹⁸¹</p> <p>9. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>¹⁸²</p>	
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EI-R42	New solar hot water systems	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <p style="margin-left: 20px;"><u>1A the activity involves the installation, maintenance, upgrading or removal of a solar hot water heating system in the circumstances specified below;</u></p> <p style="margin-left: 20px;"><u>1B the hot water generated is solely for use on a site and ancillary to the principal use of the site.</u>¹⁸³</p> <p>1. if located on the roof of a building in or adjoining Residential</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p style="margin-left: 20px;">EI-MD1 - Historic heritage and the natural environment</p> <p style="margin-left: 20px;">EI-MD14 - Extent of effects</p>

¹⁸¹ Waimakariri District Council [367.50]

¹⁸² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁸³ Daiken NZ [145.17]

	<p>Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with the following (as applicable):</p> <ol style="list-style-type: none"> a. on new buildings, shall comply with the height in relation to boundary requirement for the zone or adjoining zone; or b. if located on an existing building in or adjoining a zone in (1) above that already breaches the applicable height in relation to boundary requirement, the solar hot water system may also breach it; or c. if located on an existing building in or adjoining a zone in (1) above that does not breach the applicable height in relation to boundary requirement, the solar hot water system shall also not breach it; and <p>2. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values</u>.¹⁸⁴</p> 	
	<p>Advisory Note</p> <ul style="list-style-type: none"> • The installation of solar hot water systems may also require building consent from the District Council. 	

¹⁸⁴ Clause 16(2)

EI-R43	New infrastructure for the generation of renewable energy including renewable electricity generation from waste	
	<i>This activity includes the use of electricity generated on site, and the supply of any surplus electricity generated to the electricity distribution network.</i>	
All Zones	Activity status: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operational considerations EI-MD4 - Health and safety EI-MD5 - Electricity generation EI-MD8 - Water supply, wastewater system, and stormwater infrastructure	Activity status when compliance not achieved: N/A
EI-R44	New large scale wind turbine(s) for large scale renewable electricity generation	
All Zones	Activity status: DIS Where: 1. the activity involves the installation, maintenance, upgrading or removal of a wind turbine(s) other than for small scale or community scale renewable electricity generation from a small scale wind turbine(s) provided for in EI-R41.	Activity status when compliance not achieved: N/A
EI-R44A	<u>Large scale solar electricity generation</u> ¹⁸⁵	
All Zones	<u>Activity status: RDIS</u> <u>Where:</u> 1. <u>the activity involves the installation, maintenance, upgrading or removal of solar cell(s) other than for small scale or community scale renewable electricity</u>	<u>Activity status when compliance not achieved: N/A</u>

¹⁸⁵ Waimakariri District Council [367.15]

<p style="text-align: center;"><u>generation provided for in EI-R40.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>EI-MD1 - Historic heritage, cultural values and the natural environment</u> <u>EI-MD2 – Amenity values, location and design</u> <u>EI-MD3 – Operational considerations</u> <u>EI-MD4 Health and Safety</u> <u>EI-MD5 – Electricity generation</u></p>	
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Activity Rules - Water, wastewater, stormwater

EI-R45	Requirement to connect to water supply, wastewater system or stormwater infrastructure <i><u>This rule does not apply to the Heavy Industrial Zone located between Upper and Lower Sefton Roads</u></i> ¹⁸⁶	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. any new building, other than an accessory building: <ol style="list-style-type: none"> a. when located in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones (other than the Special Purpose Zone (Kāinga Nohoanga)), shall be connected to the following, <u>if available</u>¹⁸⁷: <ol style="list-style-type: none"> i. a public drinking water supply; ii. a public wastewater system; 	<p>Activity status when compliance not achieved: DIS</p>


¹⁸⁶ Daiken NZ [145.18]

¹⁸⁷ Daiken NZ [145.18]








	<p>b. when located in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones, shall be connected to the following, if available:</p> <ul style="list-style-type: none">i. a public drinking water supply;ii. a public wastewater system;iii. a public drinking water supply is considered to be available in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where:<ul style="list-style-type: none">a. the drinking water supplier will accept a connection to the supply from the site; andb. the water reticulation network already exists adjacent to the site boundary, or if the amount of new pipework to be installed to provide a connection to the site boundary by	
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	<p>extending the supply from the existing network is less than or equal to 250m of new pipework per new building (up to a maximum of 1km);</p> <p>iv. a public wastewater system is considered to be available in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where:</p> <p>a. a wastewater pipeline passes within 50m of the site boundary; and</p> <p>b. the wastewater system operator will accept the wastewater from the site; and</p> <p>c. the distance from the wastewater system to the building</p>	
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	<p>from which wastewater is generated is less than 100m;</p> <p>v. within the Special Purpose Zone (Kāinga Nohoanga) where a public drinking water supply or public wastewater system is not available, connection shall be to on site water supply and wastewater treatment services; and</p> <p>2. any new building, other than an accessory building with a floor area of 10m² or less:</p> <p>a. when located in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones (other than the Special Purpose Zone (Kāinga Nohoanga)), shall be connected to reticulated stormwater infrastructure; and</p> <p>b. when located in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones, shall manage stormwater on site</p>	
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	<p>so that the effects of stormwater at the site boundary (from both peak flow and total flow) are no greater than before the development took place.</p> <p>3. the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.¹⁸⁸</p>	
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • The Waimakariri Rural Residential Development Strategy June 2019 (p30-32) shows the wastewater, water supply and drainage schemes in the District. • Advice should be sought from the District Council regarding the availability and adequacy of services and any other engineering requirements associated with new connections. • Check also EI-R4 Customer connection between a building, other structure, site, and infrastructure. • Check also any relevant provisions in the Subdivision chapter regarding provision of services to new allotments. • New connections may also require building consent from the District Council. • Check the ECOP for the relevant infrastructure design standard or construction specification standard. 	
EI-R46	Construction of new, or renewal or upgrading of existing, water supply, wastewater system, or stormwater infrastructure	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. compliance is achieved with the relevant built form standards for the relevant zone or overlay; 2. the activity does not involve earthworks in the root protection area of a notable tree, except where located in a road corridor or where the works: 	<p>Activity status when compliance with EI-R46 (1) to (4) and (6) not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD2 - Amenity values, location and design EI-MD3 - Operation considerations EI-MD4 - Health and safety EI-MD8 - Water supply, wastewater system, and stormwater infrastructure <p>Activity status when compliance with EI-R46 (5) not achieved: DIS</p>

¹⁸⁸ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<ul style="list-style-type: none"> a. involve installation at least 1m below ground level;  and b. are limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods;  and c. have an entry point either: <ul style="list-style-type: none"> i. located outside of the root protection area;  or ii. with an area of less than 1m²;  <p>3. the activity does not involve earthworks in the following areas (except where located in a road corridor or accessway, or involve an extension to existing infrastructure adjoining a site, or where works are by trenchless means):</p> <ul style="list-style-type: none"> a. SASM;  b. SNAs;  c. places adjoining the coastal marine area <u>the coastal environment</u>¹⁸⁹.;  <p>4. new stormwater infrastructure storage, retention, detention or treatment facilities and devices and outfall structures are not</p>	
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¹⁸⁹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p>located in the following areas:</p> <ul style="list-style-type: none"> a. SASM; b. SNAs; <p>5. new wastewater system treatment plants and outfall structures are not located in the following areas:</p> <ul style="list-style-type: none"> a. SASM; b. settings with heritage values, and archaeological sites; c. ONF, ONL and SAL; d. areas of ONC, VHNC and HNC; e. natural character of scheduled freshwater bodies setbacks; f. SNAs; g. <u>places adjoining the coastal marine area the coastal environment</u>¹⁹⁰; h. Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Open Space and Recreation Zones; and <p>6. new water supply storage and treatment facilities are not located in the following areas:</p> <ul style="list-style-type: none"> a. SASM; b. ONF, ONL and SAL; c. areas of ONC, VHNC and HNC; 	
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¹⁹⁰ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

	<p>d. natural character of scheduled freshwater bodies setbacks;</p> <p>and</p> <p>e. SNAs.</p> <p>7. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7.</u>¹⁹¹</p>	
<p>Advisory Notes</p> <ul style="list-style-type: none"> • Check the ECOP for the relevant infrastructure design standard or construction specification standard. • Check for any relevant Regional Council provisions. • Check any relevant Stormwater Management Plans and Integrated Catchment Management Plans. • May also require building consent from the District Council. 		
<p>EI-R47 New rainwater collection systems for non-potable use</p>		
<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 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. 2. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>¹⁹² 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD14 - Extent of effects <u>EW-MD1 - Activity operation, scale, form and location</u>¹⁹³</p>
<p>Advisory Note</p> <ul style="list-style-type: none"> • The installation of rainwater tanks may also require building consent from the District Council. 		
<p>EI-R48 Requirement to provide water supply for firefighting</p>		

¹⁹¹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁹² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]


¹⁹³ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and infrastructure buildings¹⁹⁴ that are not habitable buildings) via the District Council's reticulated water supply (where available) in accordance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; or 2. where a reticulated water supply compliant with SNZ PAS 4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS 4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD11 - Requirement to provide water supply for firefighting</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Fire and Emergency New Zealand where the consent authority considers this is required, absent its written approval.</p>
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Activity Rules - Irrigation/stockwater networks

<p>EI-R49</p>	<p>Maintenance, repair, and upgrade of existing community scale irrigation/stockwater networks</p>	
<p>Rural Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the maintenance, repair, and upgrade (where upgrades 	<p>Activity status when compliance not achieved: N/A RDIS</p> <p><u>Matters of discretion are restricted to:</u></p>

¹⁹⁴ Mainpower NZ Ltd [249.91]

	<p>exclude extension or expansion) is to existing diversion, intake, conveyance, storage, discharge and other ancillary facilities and structures for the reticulation and storage of water for agricultural and horticultural activities including irrigation and stockwater (excluding mobile irrigation equipment for agricultural and horticultural activities) that serves multiple sites and is centrally administered.</p> <p>2. EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7 are met; </p> <p>3. the disposal or stockpiling of any dredged material to land shall meet EW-S1, EW-R9 (stockpiling), EW-S2, and</p> <p>4. the activity is undertaken by the Crown, Regional Council, District Council or their nominated agent. ¹⁹⁵</p>	<p>EI-MD1 - Historic heritage and the natural environment¹⁹⁶</p>
	<p>Advisory Note</p> <ul style="list-style-type: none"> • A check should be made of the Stockwater Race Bylaw 2019 for any other requirements that may apply. 	
<p>EI-R50</p>	<p>New, or extension or expansion of existing, community scale irrigation/stockwater networks</p>	
<p>Rural Zones</p>	<p>Activity status: DIS Where:</p>	<p>Activity status when compliance not achieved: N/A</p>

¹⁹⁵ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

¹⁹⁶ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<p>1. the new, or extension or expansion of existing, diversion, intake, conveyance, storage, discharge and other ancillary facilities and structures is for the reticulation and storage of water for agricultural and horticultural activities including irrigation and stockwater (excluding mobile irrigation equipment for agricultural and horticultural activities) that serves multiple sites and is centrally administered.</p>	
<p>Advisory Note</p> <ul style="list-style-type: none"> • A check should be made of the Stockwater Race Bylaw 2019 for any other requirements that may apply. 		

Activity Rules - Managing effects of activities and development on the National Grid

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <ol style="list-style-type: none"> <u>a. for a network utility; or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> 	<p>Activity status when compliance not achieved: NC Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>

	<p>i. <u>a milking shed/dairy shed (excluding the stockyards and ancillary platforms),</u></p> <p>ii. <u>a wintering barn,</u></p> <p>iii. <u>a building for intensive indoor primary production</u>¹⁹⁷ ¹⁹⁸ <u>, or</u></p> <p>iv. <u>a commercial greenhouse or</u></p> <p>v. <u>produce packing facilities;</u></p> <p>d. <u>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 or structure;</u></p> <p><u>3. a building or structure provided for by (2)(a) to (d) must:</u></p> <p><u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u></p> <p><u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u></p>	
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¹⁹⁷ Transpower NZ Ltd [195.43]

¹⁹⁸ Horticulture NZ [295.80]

	<p><u>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.</u>¹⁹⁹</p> <p>1. 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:</p> <p>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;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the</p>	
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¹⁹⁹ Transpower NZ Ltd [195.43]

	<p>nearest National Grid support structure;</p> <p>e. 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:</p> <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;	
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| | <ul style="list-style-type: none">d. any new non-habitable building less than 2.5m in height above ground level and 40m² in floor area;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;f. mobile irrigation equipment used for agricultural and horticultural activities;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;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 | |
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	<p style="color: red;">building or structure; and 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.²⁰⁰</p>	
<p>All Zones</p>	<p>Activity status: NC Where: 1. activities and development within a National Grid Yard involve the following: a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure; b. any new building for a sensitive activity; c. any change of use to a sensitive activity or the establishment of a new sensitive activity; d. dairy/milking sheds or buildings for intensive indoor primary production intensive farming^{201, 202, 203} or wintering barns; and e. any hazardous facility that</p>	<p>Activity status when compliance not achieved: N/A²⁰⁴</p>

²⁰⁰ Transpower NZ Ltd [195.43]

²⁰¹ Transpower NZ Ltd [195.43]

²⁰² Horticulture NZ [295.80]

²⁰³ Federated Farmers of NZ Inc. [414.81]

²⁰⁴ Transpower NZ Ltd [195.43]

	<p>involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	
EI-R52	<p>Earthworks (other than quarry or landfill)²⁰⁵ and the disturbance of land for the installation of fence posts²⁰⁶ within a National Grid Yard</p>	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> around National Grid support towers:²⁰⁷ earthworks and the disturbance of land for the installation of fence posts shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure.²⁰⁸ a. depth shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure; 	<p>Activity status when compliance with EI-R52 (1) not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage, cultural values and the natural environment²¹⁴ EI-MD12 - National Grid</p> <p>Activity status when compliance with EI-R52 (2) to (5) not achieved: NC Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p>

²⁰⁵ Transpower NZ Ltd [195.44]

²⁰⁶ Transpower NZ Ltd [195.44]

²⁰⁷ Transpower NZ Ltd [195.44]

²⁰⁸ Transpower NZ Ltd [195.44]

²¹⁴ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

	<p>b. depth shall be no deeper than 3m:</p> <p>i. between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or</p> <p>ii. between 6m and 10m from the foundation of a 66kV National Grid support structure;²⁰⁹</p> <p>2. earthworks <u>and the disturbance of land for the installation of fence posts</u>²¹⁰ shall not compromise the stability of a National Grid support structure;</p> <p>3. earthworks <u>and the disturbance of land for the installation of fence posts</u>²¹¹ shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</p> <p>4. earthworks <u>and the disturbance of land for the installation of fence posts</u>²¹² shall not result in <u>existing</u>²¹³ vehicular access to a National Grid support structure being permanently obstructed.</p>	
EI-R52A ²¹⁵	<u>Earthworks within a National Grid Yard</u>	
<u>All Zones</u>	<u>Activity status: RDIS</u> <u>Where:</u>	<u>Matters of discretion are restricted to:</u> <u>EI-MD12 National Grid</u>

²⁰⁹ Transpower NZ Ltd [195.44]

²¹⁰ Transpower NZ Ltd [195.44]

²¹¹ Transpower NZ Ltd [195.44]

²¹² Transpower NZ Ltd [195.44]

²¹³ Transpower NZ Ltd [195.44]

²¹⁵ Transpower NZ Ltd [195.44]

	<ol style="list-style-type: none"> 1. <u>earthworks are more than 300mm deep and less than 3m deep:</u> <ol style="list-style-type: none"> a. <u>between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or</u> b. <u>between 6m and 10m from the foundation of a 66kV National Grid support structure;</u> 2. <u>earthworks shall not compromise the stability of a National Grid support structure;</u> 3. <u>earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</u> 4. <u>earthworks and the disturbance of land for the installation of fence posts shall not result in existing vehicular access to a National Grid support structure being permanently obstructed.</u> 	<p><u>Activity status when compliance not achieved: NC</u></p> <p><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 Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</u>²¹⁶</p>
	<p>Exemptions This rule does not apply to:</p> <ul style="list-style-type: none"> • earthworks undertaken by a network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);²¹⁷ • earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or farm track; and • earthworks for which a dispensation has been granted by Transpower NZ Ltd under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 	

²¹⁶ Transpower NZ Ltd [195.44]

²¹⁷ Transpower NZ Ltd [195.44]

	Advisory Note <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	
EI-R53	Any quarry or landfill on the same site as a National Grid support structure^{218, 219}	
All Zones	Activity status: RDIS Matters of discretion are restricted to: EI-MD12 – National Grid Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.	Activity status when compliance not achieved: N/A
	Advisory Note <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. 	

Activity Rules - Managing effects of activities and development on major electricity distribution lines

EI-R54	Earthworks adjacent to a 66kV or 33kVmajor²²⁰ electricity distribution line	
All Zones	Activity Status: PER Where: 1. earthworks shall be setback at least 6m from the centreline of a major electricity distribution line as shown on the planning map; or²²¹ earthworks shall not exceed 3m in depth between 6m and 10m from the visible outer edge of a foundation of a 66kV or 33kV electricity	Activity status when compliance not achieved: RDIS-NC²²⁷ Matters of discretion are restricted to: EI-MD13 – Major electricity distribution lines²²⁸ Notification An application for a restricted discretionary non-complying²²⁹ activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.

²¹⁸ Transpower NZ Ltd [195.44]

²¹⁹ Federated Farmers of NZ Inc. [414.83]

²²⁰ Mainpower NZ Ltd [249.92]

²²¹ Mainpower NZ Ltd [249.92]

²²⁷ Mainpower [249.93]

²²⁸ Mainpower [249.93]

²²⁹ Mainpower [249.93]

	<p>distribution line pole or tower²²²;</p> <p><u>2. earthworks shall meet the following requirements:</u></p> <p><u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line pole, pi-pole or tower; and</u></p> <p><u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line pole, pi-pole or tower; and</u>²²³</p> <p><u>a.c. shall not destabilise a 66kV or 33kV major</u>²²⁴ electricity distribution line pole, <u>pi-pole</u>²²⁵ or tower; and</p> <p><u>2.3. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity</u></p>	
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²²² Mainpower NZ Ltd [249.92]

²²³ Mainpower NZ Ltd [249.92]

²²⁴ Mainpower NZ Ltd [249.92]

²²⁵ Mainpower NZ Ltd [249.92]

	<p>Code of Practice for Electricity Safe Distances are met.</p> <p><u>4. the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7</u>²²⁶</p>	
	<p>Exemptions This rule does not apply to:</p> <ul style="list-style-type: none"> • earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track; • earthworks that are undertaken by a network utility operator <u>or their approved contractor on behalf of the network utility operator</u>²³⁰ (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); • earthworks for which a dispensation has been granted prior written consent²³¹ by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; • vertical holes not exceeding 500mm in diameter provided they: <ul style="list-style-type: none"> ○ are more than 1.5m from the visible outer edge of a pole or stay wire; or ○ are a post hole for a farm fence or horticultural structure more than 6m from the visible outer edge of a tower.²³² 	
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • 66kV/33kV <u>Major</u>²³³ electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 	
EI-R55	<p>Network utilities within <u>10m-6m</u>²³⁴ of the centre line of a 66kV or 33kV <u>major</u>²³⁵ electricity distribution line</p>	

²²⁶ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

²³⁰ Mainpower NZ Ltd [249.92]

²³¹ Mainpower NZ Ltd [249.92]

²³² Mainpower NZ Ltd [249.92]

²³³ Mainpower NZ Ltd [249.92]

²³⁴ Mainpower NZ Ltd [249.93]

²³⁵ Mainpower NZ Ltd [249.93]

All Zones	Activity status: PER Where: 1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	Activity status when compliance not achieved: NC <u>Notification</u> <u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator Mainpower NZ where the consent authority considers this is required, absent its written approval.</u> ²³⁶
	Advisory Note <ul style="list-style-type: none"> • 66kV/33kVMajor²³⁷ electricity distribution lines are shown on the planning map. 	
EI-R56	Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV major²³⁸ electricity distribution line	
All Zones	Activity status: NC Where: 1. <u>new, or expansion or extension of existing</u> ²³⁹ activities and development adjacent to a 66kV or 33kV major ²⁴⁰ electricity distribution line involve the following: a. <u>new a</u> sensitive activity <u>and or a new buildings or structure</u> ²⁴¹ (excluding accessory buildings) ²⁴² within <u>6m</u> ²⁴³ of the centreline of a 66kV or 33kV major ²⁴⁴ electricity distribution line or within 10m <u>6m</u> ²⁴⁵ of the	Activity status when compliance not achieved: N/A

²³⁶ Chorus, Spark and Vodafone [62.35]

²³⁷ Mainpower NZ Ltd [249.93]

²³⁸ Mainpower NZ Ltd [249.94]

²³⁹ Mainpower NZ Ltd [249.95]

²⁴⁰ Mainpower NZ Ltd [249.94]

²⁴¹ Mainpower NZ Ltd [249.94]

²⁴² Mainpower NZ Ltd [249.94]

²⁴³ Mainpower NZ Ltd [249.94]

²⁴⁴ Mainpower NZ Ltd [249.94]

²⁴⁵ Mainpower NZ Ltd [249.94]

	<p> visible outer edge of a²⁴⁶ foundation of an associated a pole, pi-pole²⁴⁷ or tower; and/or a-b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.²⁴⁸ b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.^{249,250} </p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p>	
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • 66kV/33kV Major²⁵¹ electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. 	

²⁴⁶ Mainpower NZ Ltd [249.94]

²⁴⁷ Mainpower NZ Ltd [249.94]

²⁴⁸ Mainpower NZ Ltd [249.94]

²⁴⁹ Mainpower NZ Ltd [249.94]

²⁵⁰ Mainpower NZ Ltd [249.94]

²⁵¹ Mainpower NZ Ltd [249.94]

	Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.
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Matters of Discretion

EI-MD1	<p>Historic heritage, cultural values and the natural environment</p> <ol style="list-style-type: none"> 1. The extent of any adverse landscape and visual effects, including cumulative effects, on ONF, ONL and SAL; or on areas of ONC, VHNC or HNC; or on the natural character of scheduled freshwater bodies setbacks; or on the coastal environment. 2. The extent to which infrastructure has a functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods. 3. The extent of any effects on SNAs or any notable tree and, the nature of any advice provided by an ecologist with respect to SNAs or indigenous vegetation clearance or arborist with respect to notable trees. 4. The extent of any social, economic, environmental and cultural benefits. 5. The extent of any effects on historic heritage, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 6. Outcomes of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga and Heritage NZ Pouhere Taonga. 7. Likely effectiveness of the mitigation proposed, including any cultural or archaeological monitoring. 8. Any relevant matter set out in NFL-MD1, HH-MD1, TREE-MD1, SASM-MD1, SASM-MD2, SASM-MD3, ECO-MD1, NATC-MD4, CE-MD1, and EW-MD1 - EW-MD8.²⁵²
EI-MD2	<p>Amenity values, location and design</p> <ol style="list-style-type: none"> 1. The practicality and effectiveness of screening the infrastructure, where necessary.²⁵³ 2. For infrastructure attached to other structures, the extent to which the infrastructure is within the visual envelope of an existing structure, and the extent to which the colour and design of the infrastructure corresponds to the existing structure. 3. The extent of consideration of the number, size, location and design of any other existing infrastructure in the vicinity. 4. The extent to which any adverse effects of the infrastructure have been avoided, remedied or mitigated by the route, site and construction method selection. 5. The extent to which the location and size of the infrastructure impacts on the ability of people to access any existing facility or activity on the site.
EI-MD3	<p>Operational considerations</p> <ol style="list-style-type: none"> 1. The extent to which the location and scale of structures proposed are necessary to meet the operational need or functional need of the infrastructure. 2. The extent to which placing infrastructure underground is unreasonable in terms of technical constraints, additional costs or environmental effects.

²⁵² Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51]

²⁵³ Transpower NZ Ltd [195.46]

	<ol style="list-style-type: none"> 3. The extent to which there is any risk to, and effects on, the operation, maintenance, upgrading and development of the infrastructure. 4. The extent to which buildings, other structures or vegetation obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, and the extent to which such adverse effects can be avoided, remedied or mitigated.
EI-MD4	<p>Health and safety</p> <ol style="list-style-type: none"> 1. The extent to which the infrastructure will be located in proximity to any <u>existing</u>²⁵⁴ sensitive activity, and the extent of any effect on human health.
EI-MD5	<p>Electricity generation</p> <ol style="list-style-type: none"> 1. The extent to which the infrastructure will make a meaningful contribution to renewable electricity generation targets. 2. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape. 3. The extent to which views to the infrastructure are expansive or constrained. 4. The extent to which the design, siting and size of the infrastructure responds to its landscape context. 5. The relative elevation of the infrastructure, in relation to residences, public places or place from which the infrastructure will be visible, including the extent to which the infrastructure is located on a ridgeline or series of ridgelines, or would form part of a skyline. 6. Number, design and extent of wind turbines and associated structures, and predominant orientation in relation to the landform. 7. Effects on topography, landforms and geological forms. 8. Ecological effects including any loss of indigenous flora, fauna, habitat and effects on riparian margins. 9. Effects on adjoining land uses of noise levels, noise modulation, glint/glare, and shadow flicker. 10. Need to locate wind turbines and associated structures where the wind resource is available and the quality of the wind resource. 11. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure. 12. For solar cells, as well as the above matters: <ol style="list-style-type: none"> a. the time of day, year, and time per day when adjoining or adjacent sites would be affected by reflected solar glare and the degree of luminescence; b. the number of sites affected and their relative proximity; and c. whether there is a hazard from any glare. 13. The necessity for electricity generation other than renewable electricity generation in the District's electricity supply network, including for resilience.
EI-MD6	<p>Electricity transmission and electricity distribution</p> <p><u>1A. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to</u></p>

²⁵⁴ Transpower NZ Ltd [195.48]

	<p><u>which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape.</u>²⁵⁵</p> <p><u>1B. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure.</u>²⁵⁶</p> <p>1. Extent of effects on access to and the operation, maintenance, upgrade development and structural integrity of the electricity transmission and electricity distribution network.²⁵⁷</p> <p>2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <p>3. Nature of technical advice provided by infrastructure operators and extent of compliance with it.²⁵⁸</p> <p>4. Risk of electrical hazards affecting public safety and risk of property damage.</p> <p><u>5. The benefits of the related infrastructure.</u>²⁵⁹</p>
EI-MD7	<p>Gas distribution pipeline and fuel systems</p> <ol style="list-style-type: none"> 1. Effects on access to and the operation, maintenance, upgrade, development and structural integrity of gas distribution pipeline and fuel systems. 2. Technical advice provided by infrastructure operators. 3. Hazards affecting public safety and risk of property damage.
EI-MD8	<p>Water supply, wastewater system, and stormwater infrastructure</p> <ol style="list-style-type: none"> 1. The requirements of the ECOP, and any other relevant regulations. 2. The extent to which the proposed servicing will adequately serve its intended purpose. 3. The extent to which existing infrastructure is available to connect to. 4. The extent to which the infrastructure will incorporate existing indigenous vegetation, or proposes new planting of indigenous vegetation naturally occurring within the ecological district within which planting will take place or of ecologically similar origin. 5. The extent of any actual or potential adverse effects on the capacity, efficiency and function of existing infrastructure. 6. The provision for, and protection of, the flood storage and conveyance capacity of waterways. 7. The requirements of AS/NZS 1547:2012 On-site Domestic Wastewater Management. 8. The extent to which interference with public use and enjoyment of open space and recreation land is or can be minimised where infrastructure is located or proposed to be located in Open Space and and Recreation Zones. 9. The extent to which safe and direct access can be provided to enable the maintenance of infrastructure. 10. The extent to which there will be health and safety adverse effects associated with infrastructure and the extent to which these can be avoided, remedied or mitigated.

²⁵⁵ Transpower NZ Ltd [195.49]

²⁵⁶ Transpower NZ Ltd [195.49]

²⁵⁷ Transpower NZ Ltd [195.49]

²⁵⁸ Transpower NZ Ltd [195.49]

²⁵⁹ Transpower NZ Ltd [195.50]

	<p>11. The outcome of any consultation undertaken with the District Council regarding the availability, adequacy or suitability of the water supply, wastewater system or stormwater infrastructure servicing proposed.</p>
EI-MD9	<p>Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure</p> <ol style="list-style-type: none"> 1. The ability to integrate with the landscape, follow natural contours, and mitigate diverse effects. 2. The extent of <u>non-compliance</u>²⁶⁰ with²⁶¹ <u>Earthworks standards EW-S1 to EW-S7</u>.²⁶² 3. Relevant assessment matters in the Earthworks Chapter <u>and, where resource consent is required by Rules EI-R2 and EI-R23</u>²⁶³, for the²⁶⁴ overlay. 4. <u>The benefits of the related infrastructure</u>.²⁶⁵
EI-MD10	<p>Relocation of existing infrastructure</p> <ol style="list-style-type: none"> 1. The extent to which the existing alignment or location is within a road corridor and relocation over a greater distance is necessary to ensure the infrastructure remains within the road corridor due to road widening or realignment. 2. The extent to which relocation over a greater distance is necessary for safety, access, operational need or functional need reasons. 3. The extent to which relocation would result in the infrastructure being located in the following areas, and relocation over a greater distance is necessary to avoid or minimise encroachment into such areas: <ol style="list-style-type: none"> a. the root protection area of a notable tree; b. places with heritage values; c. Wāhi Tapu sites; and d. SNAs. 4. The benefits of the infrastructure. <u>The benefits of infrastructure</u>.²⁶⁶
EI-MD11	<p>Requirement to provide water supply for firefighting</p> <ol style="list-style-type: none"> 1. The extent to which sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring sites. 2. The suitability of the proposed water supply for firefighting purposes (the District Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.
EI-MD12	<p>National Grid</p> <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.

²⁶⁰ Transpower NZ Ltd [195.50]

²⁶¹ Transpower NZ Ltd [195.50]

²⁶² Transpower NZ Ltd [195.50]

²⁶³ Transpower NZ Ltd [195.50]

²⁶⁴ Transpower NZ Ltd [195.50]

²⁶⁵ Transpower NZ Ltd [195.50]

²⁶⁶ Transpower NZ Ltd [195.51]

	4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD13	<p>Major electricity distribution lines²⁶⁷</p> <p>1. The extent of any impacts on the operation, maintenance, upgrading and development of the electricity distribution network.</p> <p>2. The risk to the structural integrity of any affected electricity distribution line support structure(s).</p> <p>3. The extent of any impact on the ability of the relevant electricity distribution network operator to access the electricity distribution network.</p> <p>4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</p>
EI-MD14	<p>Extent of effects</p> <p>1. The extent of <u>non-compliance</u>²⁶⁸ with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects.</p> <p>2. <u>The benefits of the infrastructure.</u>²⁶⁹</p>

Definitions

AMATEUR RADIO CONFIGURATIONS	means the antennas, aerials, and associated <u>support structures</u> ²⁷⁰ <u>including</u> poles which are owned and used operated ²⁷¹ by licensed amateur radio operators.
ANCILLARY INFRASTRUCTURE EQUIPMENT	means equipment that must be installed with the main components of infrastructure to enable its operation, including (but not limited to): <u>telemetry equipment</u> ²⁷² , valves, fittings, meters, pipework, power distribution units, microwave units, DC and surge arrestors, cable trays, cables, mounts, fibre access terminals, ducting, cable loops, combiner/junction boxes, remote radio units, pole- or tower-mounted amplifiers, lightning surge units, filters, or similar types of equipment required to support its operation, but excluding antennas, self-contained power units or generators.
<u>ELECTRICITY CABINETS AND KIOSKS</u> ²⁷³	<u>in relation to electricity distribution, means equipment affixed to, or within, the ground that is necessary to operate part of a utility or infrastructure network, including any casing.</u>

²⁶⁷ Mainpower NZ Ltd [249.103]

²⁶⁸ Transpower NZ Ltd [195.53]

²⁶⁹ Transpower NZ Ltd [195.53]

²⁷⁰ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

²⁷¹ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

²⁷² Mainpower NZ Ltd [249.7]

²⁷³ Mainpower NZ Ltd [249.9]

ELECTRICITY DISTRIBUTION LINE	means the lines and associated poles, pi-poles and towers <u>that are not part of the National Grid and are</u> ²⁷⁴ utilised by a network utility operator to distribute electricity.
EMERGENCY SERVICE	means an authority or service that is responsible for the safety and welfare of people and property in the community during times of emergency that include, but are not necessarily limited to, <u>fire service</u> ²⁷⁵ <u>Fire and Emergency New Zealand</u> ²⁷⁶ , ambulance, police, <u>New Zealand Defence Force</u> ²⁷⁷ and emergency co-ordination authorities or services.
INFRASTRUCTURE	has the same meaning as in section 2 of the RMA <u>and also means includes defence facilities</u> ²⁷⁸
INFRASTRUCTURE BUILDING	means a building that serves the same purpose as an infrastructure cabinet but is of a larger scale and is not a habitable building, <u>or an electricity cabinet and kiosk</u> ²⁷⁹ .
INFRASTRUCTURE CABINET	means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, <u>or an electricity cabinet and or kiosk</u> ²⁸⁰ .
<u>MAJOR ELECTRICITY DISTRIBUTION LINES</u>	<u>means: an overhead electricity distribution line as shown on the planning maps that is built to operate at a voltage of 33kV or greater.</u>
<u>NATIONAL GRID SUBDIVISION CORRIDOR</u> ²⁸¹	<u>means</u> <ul style="list-style-type: none"> • <u>the area 32m either side of the centreline of an above ground 66kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers);</u> • <u>the area 37m either side of the centreline of an above ground 220kV transmissions line;</u> • <u>the area 39m either side of the centreline of an above ground 350kV transmission line.</u>

²⁷⁴ Transpower NZ Ltd [195.5]

²⁷⁵ Fire and Emergency NZ [303.1]

²⁷⁶ Fire and Emergency NZ [303.3]

²⁷⁷ NZ Defence Force [166.1]

²⁷⁸ Mainpower NZ Ltd [249.14]

²⁷⁹ Mainpower NZ Ltd [249.14]

²⁸⁰ Mainpower NZ Ltd [249.15]

²⁸¹ Transpower NZ Ltd [195.18]

<p>NATIONAL GRID YARD</p>	<p>means:</p> <ol style="list-style-type: none"> 1. the area located 12m in any direction from the outer <u>visible</u>²⁸² edge of a <u>foundation of a</u>²⁸³ 220kV or a 350kV²⁸⁴ National Grid transmission line²⁸⁵ support structure; or 2. the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and²⁸⁶ 3. the area located 10m either side of the centreline of an overhead 66kV National Grid transmission line; on towers (including tubular steel towers where these replace lattice steel towers); or²⁸⁷ 4. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line on towers (including tubular steel towers where these replace lattice steel towers).²⁸⁸
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<p>REGIONALLY SIGNIFICANT INFRASTRUCTURE</p>	<p>means:</p> <ol style="list-style-type: none"> 1. strategic land transport network and arterial roads; 2. Timaru Airport²⁸⁹ 3. Port of Timaru²⁹⁰ 4. commercial maritime facilities at Kaikoura;²⁹¹ 5. telecommunication and radiocommunication facilities; 6. national, regional and local renewable electricity generation activities of any scale; 7. the electricity transmission and distribution network; 8. sewage collection, treatment and disposal networks; 9. community land drainage infrastructure; 10. community potable water systems; 11. established community-scale irrigation and stockwater infrastructure; 12. transport hubs; 13. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; and 14. strategic infrastructure.
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<p>STRATEGIC INFRASTRUCTURE</p>	<p>means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as:</p> <ol style="list-style-type: none"> a. strategic transport networks; b. Christchurch International Airport c. Rangiora Airfield; d. Port of Lyttelton
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²⁸² Transpower NZ Ltd [195.9]

²⁸³ Transpower NZ Ltd [195.9]

²⁸⁴ Transpower NZ Ltd [195.9]

²⁸⁵ Transpower NZ Ltd [195.9]

²⁸⁶ Transpower NZ Ltd [195.9]

²⁸⁷ Transpower NZ Ltd [195.9]

²⁸⁸ Transpower NZ Ltd [195.9]

²⁸⁹ Department of Conservation [419.22]

²⁹⁰ Department of Conservation [419.22]

²⁹¹ Department of Conservation [419.22]

	<ul style="list-style-type: none">e. bulk fuel supply infrastructure including terminals, wharf lines and pipelines;f. defence facilities;g. strategic telecommunications and radiocommunications facilities;h. electricity transmission and distribution network including the National Grid;i. other strategic network utilities.
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**APPENDIX 2 – UPDATED RECOMMENDED RESPONSES TO SUBMISSIONS AND
FURTHER SUBMISSIONS**

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
157.1 ¹	New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc) (Branch 68 of NZART) - Don McDonald, ZL3DMC New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc) (Branch 68 of NZART) - Owen Pimm, ZL3GM New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc) (Branch 68 of NZART) - K Douglas Birt - on behalf of Owen Pimm, North Canterbury Amateur Radio Club Branch 68, NZART	Definition of "amateur radio configurations"	Change definition to "means antennas, aerials and associated poles <u>support structures</u> which are owned and used <u>operated</u> by licensed amateur radio operators."	8.22	Accept	Support the replacement of 'used' with 'operated'. Also support the addition of 'support structures'. However, rather than removing reference to poles it is considered that it would be clearer to refer to 'support structures including poles'.	Yes
249.7	Mainpower NZ Ltd	Definition of "ancillary infrastructure equipment"	Amend the definition to include 'telemetry equipment', as follows: "means equipment that must be installed with the main components of infrastructure to enable its operation, including (but not limited to): <u>telemetry equipment</u> , valves, fittings, meters, pipework, power distribution units, microwave units, DC and surge arrestors, cable trays, cables, mounts, fibre access terminals, ducting, cable loops, combiner/junction boxes, remote radio units, pole- or tower-mounted amplifiers, lightning surge units, filters, or similar types of equipment required to support its	11.2	Accept	Support minor amendment.	Yes

¹ Support – John Sedcole [FS 6], Alfred Harold Large [FS 7], Carleen Pimm [FS 8], RD Johnson [FS 9], Alastair Grant Daniel [FS 10], Colin Rowe [FS 11], Donald MacDonald [FS 12], Ian Galletly [FS 13], Mark Carshanton [FS 14], Baden Melhuish [FS 15], Rick Jackson [FS 16], Simon Hill [FS 17], Geoffrey Gooch [FS 18], John Van Dijk [FS 19], Geoffrey Gillman [FS 20], Geoffrey Clark [FS 21], Liz Buckland [FS 22], Tony Buckland [FS 23], Keith Heyworth [FS 26], Denise Hider [FS 35], Keith Birse [FS 123] – Officer recommendation – accept

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			operation, but excluding antennas, self-contained power units or generators."				
195.3	Transpower NZ Ltd	Definition of "conductor"	Support definition of 'conductor' as is consistent with the National Environmental Standards for Electricity Transmission Activities. Retain definition of 'conductor' as notified.	7.5	Accept	No changes sought to the notified provision.	No
195.4	Transpower NZ Ltd	Definition of "critical infrastructure"	Support definition of 'critical infrastructure' as is generally consistent with the definition in the Canterbury Regional Policy Statement. Retain definition of 'critical infrastructure' as notified.	11.3	Accept	No changes sought to the notified provision.	No
249.8 ² ³	Mainpower NZ Ltd	Definitions of "critical infrastructure", "regionally significant infrastructure", and "strategic infrastructure"	<p>Oppose the definitions for 'critical infrastructure', 'regionally significant infrastructure' and 'strategic infrastructure', and propose the term 'important infrastructure' is used to rationalise and streamline the terminology, as follows:</p> <p><u>"Important Infrastructure</u> Those necessary facilities, services, and installations which are critical or of significance to either New Zealand, Canterbury, or Waimakariri. This may include but are not limited to:</p> <ul style="list-style-type: none"> a. Strategic transport network b. Christchurch International Airport c. Telecommunication networks d. National, regional and local electricity generation activities undertaken by a Electricity Operator as defined by the Electricity Act 1992 e. Electricity distribution networks f. Electricity transmission networks g. Public and community wastewater collection, treatment and disposal networks h. Public and community land drainage infrastructure i. Public and community stormwater infrastructure j. Public and community potable water and fire fighting supply systems infrastructure k. Public and community-scale irrigation and stockwater infrastructure l. Gas storage and distribution infrastructure m. Bulk fuel supply infrastructure including terminals, and pipelines n. Ports including inland ports o. New Zealand Defence Force facilities p. Emergency Services facilities 	11.3	Reject	Definitions of 'critical infrastructure', 'regionally significant infrastructure' and 'strategic infrastructure' are from the RPS which is a higher order document the District Plan must be consistent with and give effect to.	No

² Oppose – DoC [FS 77]; Z Energy NZ, BP Oil NZ, Mobil Oil NZ [FS 104]; KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

³ Neutral – Christchurch International Airport Ltd [FS 80] – Officer recommendation – neutral

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			q. <u>Public healthcare institutions</u> "				
254.5 ⁴	Christchurch International Airport Ltd	Definition of "critical infrastructure"	Support the definition of 'critical infrastructure'. It is essential that Christchurch International Airport is identified as of greater importance than local importance, strategic importance, and regional significance to give effect to the Canterbury Regional Policy Statement. Retain definition of 'critical infrastructure' as notified.	11.3	Accept	See 249.8 above.	No
295.22	Horticulture NZ	Definition of "critical infrastructure"	Support definition of 'critical infrastructure' as it adopts the definition from the Canterbury Regional Policy Statement and contains the National Grid and radio communications. Retain definition of 'critical infrastructure' as notified.	11.3	Accept	See 249.8 above.	No
303.1	Fire and Emergency NZ	Definition of "critical infrastructure"	Support inclusion of fire stations, emergency coordination facilities and the supply and treatment of water for public supply in definition of 'critical infrastructure'. Retain definition of 'critical infrastructure' as notified.	11.3	Accept	See 249.8 above.	No
373.1	KiwiRail Holdings Ltd	Definition of "critical infrastructure"	Support the inclusion of strategic rail networks and structures that support, protect or form part of rail networks. Retain definition of 'critical infrastructure' as notified.	11.3	Accept	See 249.8 above.	No
295.26	Horticulture NZ	Definition of "drinking water"	Definition of 'drinking water' is consistent with National Planning Standards. Retain definition of 'drinking water' as notified.	11.1	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
249.9	Mainpower NZ Ltd	New definition for "electricity cabinets and kiosks"	Propose a new definition for 'electricity cabinets and kiosks' as this equipment has specific features (including that it is not always enclosed in a casing) which make a separate definition more appropriate than the proposed 'infrastructure cabinet' definition. Insert a new definition: " <u>Electricity Cabinets and Kiosks</u> <u>In relation to electricity distribution, means equipment affixed to, or within, the ground that is necessary to operate part of a utility or infrastructure network, including any casing.</u> "	8.3	Accept	It is accepted there may be technical reasons why a separate definition (and rule) is needed.	Yes
192.9	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest and Bird)	Definition of "electricity distribution"	Support definition of 'electricity distribution'. Retain definition of 'electricity distribution' as notified.	11.4	Accept	No changes sought to the notified provision.	No
249.10	Mainpower NZ Ltd	Definition of "electricity distribution"	Support definition of 'electricity distribution', but amend to provide further clarity, as follows:	11.4	Reject	The proposed amendments are unnecessary. "Support structures" is an undefined term therefore provides less certainty than "pole",	No

⁴ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"means the conveyance of electricity via electricity distribution lines, cables, support structures poles, pi-poles, towers, substations, transformers, switching stations, kiosks, cabinets, and ancillary buildings and structures, including communication equipment, by a network utility operator. <u>This includes MainPower New Zealand Limited assets shown on the planning maps.</u> "			"pi-pole" or "tower" which are defined terms. If these assets meet the definition of 'Electricity distribution' they will already be included in part with the suggested addition.	
192.10	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest and Bird)	Definition of "electricity distribution line"	Support definition of 'electricity distribution line'. Retain definition of 'electricity distribution line' as notified.	11.5	Accept	No changes sought to the notified provision.	No
195.5	Transpower NZ Ltd	Definition of "electricity distribution line"	Generally support but seek amendment or clarification to ensure that electricity distribution is distinguished from electricity transmission, as follows: "means the lines and associated poles, pi-poles and towers <u>that are not part of the National Grid and are</u> utilised by a network utility operator to distribute electricity."	11.5	Accept	Support the suggestion as it is considered to add clarity to the definition.	Yes
249.11	Mainpower NZ Ltd	Definition of "electricity distribution line"	Support definition of 'electricity distribution line', but amend to provide clarity, as follows: "means the lines and associated support structures poles, pi-poles and towers utilised by a network utility operator to distribute electricity. <u>This includes MainPower New Zealand's Limited assets shown on the planning maps.</u> "	11.5	Reject	Consider the additional amendment are unnecessary as 'Support structures' is an undefined term and therefore provides less certainty than 'pole', 'pi-pole' or 'tower' which are defined terms.	No
195.6	Transpower NZ Ltd	Definition of "electricity transmission"	Support definition of 'electricity transmission' as it cross references National Policy Statement on Electricity Transmission. Retain definition of 'electricity transmission' as notified.	11.1	Accept	No changes sought to the notified provision.	No
295.30	Horticulture NZ	Definition of "electricity transmission"	Definition of 'electricity transmission' is consistent with the National Policy Statement on Electricity Transmission. Retain definition of 'electricity transmission' as notified.	11.1	Accept	No changes sought to the notified provision.	No
303.2	Fire and Emergency NZ	Definition of "emergency"	Submitter has a role in all types of emergency response including those identified. Retain definition of 'emergency' as notified.	11.1	Accept	No changes sought to the notified provision.	No
166.1	NZ Defence Force	Definition of "emergency service"	The New Zealand Defence Force is often involved in emergency service activity and should be included in the definition of 'emergency service'. Amend the definition of 'emergency service' to add the New Zealand Defence Force to the example services listed:	11.6	Accept	Support the suggested change as it adds clarity to the definition.	Yes

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"means an authority or service that is responsible for the safety and welfare of people and property in the community during times of emergency that include, but are not necessarily limited to, fire service, ambulance, police, <u>New Zealand Defence Force</u> and emergency coordination authorities or services."				
303.3	Fire and Emergency NZ	Definition of "emergency service"	Support definition of 'emergency service', but amend reference to 'fire service' to 'Fire and Emergency New Zealand' to be consistent with the Fire and Emergency New Zealand Act 2017, as follows: "means an authority or service that is responsible for the safety and welfare of people and property in the community during times of emergency that include, but are not necessarily limited to, fire service <u>Fire and Emergency New Zealand</u> , ambulance, police and emergency co-ordination authorities or services"	11.6	Accept	Support the suggested change as it adds clarity to the definition.	Yes
303.4	Fire and Emergency NZ	Definition of "emergency service facility"	Support definition of 'emergency service facility' as it encompasses a wide range of facilities and ancillary activities. Retain definition of 'emergency service facility' as notified.	11.6	Accept	No changes sought to the notified provision.	No
303.5	Fire and Emergency NZ	New definition of "emergency service training activities"	Firefighter training is an essential activity. Seek provision for 'emergency services training activities' as permitted activities across all zones to better enable Fire and Emergency to achieve its statutory function by facilitating firefighting and emergency response (including training for such circumstances). Add definition for 'emergency services training activities': "means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services."	11.7	Accept	Based on my understanding of the provisions of the Proposed Plan, I consider these activities would be permitted and therefore the additional permitted activity and definition would not be required. If the submitter could provide greater clarity within evidence as to why an additional definition and permitted activity rule are required, and what rules within the Proposed Plan may require these activities obtain consent, this could be reconsidered. In the absence of such an amendment is considered to be unnecessary.	Yes
284.8	Clampett Investments Ltd	Definition of "functional need"	Support 'functional need' definition. Retain 'functional need' definition as notified.	11.6	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
295.36	Horticulture NZ	Definition of "functional need"	Definition of 'functional need' is consistent with National Planning Standards. Retain definition of 'functional need' as notified.	11.6	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
326.10	Rolleston Industrial Developments Ltd	Definition of "functional need"	Support definition of 'functional need'. Retain definition of 'functional need' as notified.	11.6	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
249.13	Mainpower NZ Ltd	Definition of "height in relation to infrastructure"	Support definition of 'height in relation to infrastructure'. Retain definition of 'height in relation to infrastructure' as notified.	11.6	Accept	No changes sought to the notified provision.	No

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
166.3	NZ Defence Force	Definition of "infrastructure"	NZDF does not currently have major facilities in the District, however this does not preclude the need for future defence infrastructure. Defence facilities should be identified as infrastructure, as is done in a number of plans around the country, to provide clarity and certainty that defence facilities are included in the proposed objectives and policies concerning infrastructure. Amend the definition of 'infrastructure' as follows: "has the same meaning as in section 2 of the RMA <u>and also means defence facilities.</u> "	11.8	Accept	Support the submission for consistency. At present there appears to be internal inconsistency within the Proposed Plan between the definition of 'infrastructure' which does not include 'defence facilities' and the definition of both 'strategic infrastructure' and 'regionally significant infrastructure' which both include 'defence facilities'.	Yes
192.19 ⁵	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest and; Bird)	Definition of "infrastructure"	Tighten application of the term 'infrastructure' in sensitive environments as could have significant consequences for the coastal environment and Significant Natural Areas. Exclude or more clearly define the types of infrastructure provided for or excluded from sensitive environments.	11.8	Reject	Submission seems more targeted at rules than the definition. Provisions already contain controls on infrastructure in a range of sensitive environments including places adjoining the coastal marine area and SNAs.	No
254.6 ⁶	Christchurch International Airport Ltd	Definition of "infrastructure"	Support the definition of 'infrastructure'. It is essential that Christchurch International Airport is identified as infrastructure of greater importance than local importance, strategic importance, and regional significance to give effect to the Canterbury Regional Policy statement. Retain the definition of 'infrastructure' as notified.	11.8	Accept	Is a definition set out in s2 of the RMA.	No
373.2	KiwiRail Holdings Ltd	Definition of "infrastructure"	Support definition of 'infrastructure', noting (g) includes rail. Retain definition of 'infrastructure' as notified.	11.8	Accept	Is a definition set out in s2 of the RMA.	No
419.18 ⁷	Department of Conservation	Definition of "infrastructure"	Support the inclusion of Resource Management Act 1991 definitions, however providing the full text of the definition would be helpful. Amend definition of 'infrastructure' to include the definition text from the Resource Management Act 1991.	11.8	Reject	Consider more efficient to retain reference to the statute, as any time this definition in s2 of the RMA is amended a plan change would be necessitated.	No
249.14	Mainpower NZ Ltd	Definition of "infrastructure building"	Support definition of 'infrastructure building'. Retain definition of 'infrastructure building' as notified.	11.9	Accept	No changes sought to the notified provision.	No
249.15	Mainpower NZ Ltd	Definition of "infrastructure cabinet"	Amend definition of 'infrastructure cabinet' to exclude electricity cabinets and kiosks, as follows: "means a casing around equipment that is necessary to operate part of infrastructure, but is not an infrastructure building, <u>electricity cabinet or kiosk.</u> "	11.9	Accept	The amendment helps give effect to [249.9] above by clarifying that this definition does not include 'infrastructure cabinet'.	Yes

⁵ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁶ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁷ Support – Forest and Bird [FS 78] – Officer recommendation – reject

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.8 ⁸	Christchurch International Airport Ltd	Definition of "lifeline utility"	Support reference to the Civil Defence Emergency Management Act 2002 within definition of 'lifeline utility'. Retain definition of 'lifeline utility' as notified.	11.1	Accept	No changes sought to the notified provision.	No
195.7	Transpower NZ Ltd	Definition of "national grid"	Support definition of 'National Grid' as it cross references the National Policy Statement on Electricity Transmission. Retain definition of 'National Grid' as notified.	11.1	Accept	No changes sought to the notified provision.	No
195.18	Transpower NZ Ltd	New definition for "national grid subdivision corridor"	<p>Seek new definition of 'national grid subdivision corridor' as is necessary for the implementation of associated rules and give effect to Policies 10 and 11 of the National Policy Statement on Electricity Transmission. The proposed definition establishes appropriate, and nationally consistent, distances (measured from the centreline of a transmission line) within which subdivision activities are regulated. The distance is established based on an average calculated measurement of maximum conductor swing in high wind conditions.</p> <p>Insert new definition of 'national grid subdivision corridor':</p> <p>"means</p> <p>a. the area 32m either side of the centreline of an above ground 66kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers);</p> <p>b. the area 37m either side of the centreline of an above ground 220kV transmission line;</p> <p>c. the area 39m either side of the centreline of an above ground 350kV transmission line."</p>	11.10	Accept	The amendment gives better effect to Policies 10 and 11 of the NPSET.	Yes
195.8	Transpower NZ Ltd	Definition of "national grid support structure"	Support the definition of 'National Grid support structure' as it is necessary for rule interpretation and is similar to definitions included in the National Environmental Standards for Electricity Transmission Activities. Retain the definition of 'National Grid support structure' as notified.	11.1	Accept	No changes sought to the notified provision.	No
195.9	Transpower NZ Ltd	Definition of "national grid yard"	<p>Support the definition of 'National Grid Yard', but amend to align with other definitions in the Proposed District Plan and is consistent with the 'National Grid Yard' definition used in district plans throughout New Zealand, as follows:</p> <p>"means:</p>	11.11	Accept	Proposed amendments ensure consistency with the National Grid Yard definition used in district plans throughout New Zealand.	Yes

⁸ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>a. the area located 12m in any direction from the outer <u>visible</u> edge of a <u>foundation of a 220kV or a 350kV National Grid transmission line</u> support structure; or</p> <p>b. the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and</p> <p>eb. the area located 10m either side of the centreline of an overhead 66kV National Grid transmission line on towers <u>(including tubular steel towers where these replace lattice steel towers); or</u></p> <p>ec. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line on towers <u>(including tubular steel towers where these replace lattice steel towers)."</u></p>				
414.9 ⁹	Federated Farmers of NZ Inc.	Definition of "national grid yard"	<p>Amend the definition of 'National Grid Yard' to be consistent with NZECP34 Code of Practice for Electrical Safe Distances, particularly Section 2.4.1 around support structures. This definition and the yard widths are not consistent and unnecessarily onerous compared to the Code. Note that farmers will be overwhelmingly affected by regulation that exceeds the Code.</p> <p>Amend the definition of 'National Grid Yard':</p> <p>"a. the area located 12m in any direction from the outer edge of a 220kV or a 350kV National Grid transmission line support structure; or</p> <p>b. the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and</p> <p>c. the area located 10m either side of the centreline of an overhead 66kV National Grid transmission line on towers (including tubular steel towers where these replace lattice steel towers); or</p> <p>d. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line on towers (including tubular steel towers where these replace lattice steel towers)."</p>	11.11	Reject	No clear amendment has been sought therefore any amendment to the definition resulting from this submission is not recommended.	No
373.5	KiwiRail Holdings Ltd	Definition of "network utility operator"	Support use of the Resource Management Act 1991 definition of 'network utility operator', which includes railway activities and supports the integrated management and provision of key infrastructure. Retain definition of 'network utility operator' as notified.	11.1	Accept	No changes sought to the notified provision.	No

⁹ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.17	Clampett Investments Ltd	Definition of "operational need"	Support 'operational need' definition. Retain 'operational need' definition as notified.	11.1	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
326.18	Rolleston Industrial Developments Ltd	Definition of "operational need"	Support definition of 'operational need'. Retain definition of 'operational need' as notified.	11.1	Accept	This is a National Planning Standards definition and as such cannot be amended.	No
249.17	Mainpower NZ Ltd	Definition of "pi-pole"	Support definition of 'pi-pole'. Retain definition of 'pi-pole' as notified.	11.1	Accept	No changes sought to the notified provision.	No
195.10	Transpower NZ Ltd	Definition of "pole"	Support the definition of 'pole' as is generally consistent with definition in National Environmental Standards for Electricity Transmission Activities. Retain the definition of 'pole' as notified.	11.1	Accept	No changes sought to the notified provision.	No
249.18	Mainpower NZ Ltd	Definition of "pole"	Support definition of 'pole'. Retain definition of 'pole' as notified.	11.1	Accept	No changes sought to the notified provision.	No
166.4	NZ Defence Force	Definition of "regionally significant infrastructure"	Supports the inclusion of 'strategic infrastructure' within this definition, which in turn includes defence facilities in its definition. Defence facilities are critical for security, safety and wellbeing and it is appropriate they are included in this definition. Retain the definition of 'regionally significant infrastructure' as notified.	11.12	Accept	No changes sought to the notified provision.	No
195.11	Transpower NZ Ltd	Definition of "regionally significant infrastructure"	Support the definition of 'regionally significant infrastructure' as is generally consistent with definition in the Canterbury Regional Policy Statement. Retain the definition of 'regionally significant infrastructure' as notified.	11.12	Accept	No changes sought to the notified provision.	No
210.2	Waimakariri Irrigation Ltd	Definition of "regionally significant infrastructure"	Support definition of 'regionally significant infrastructure', particularly the recognition of irrigation and stockwater infrastructure. Retain definition of 'regionally significant infrastructure' as notified.	11.12	Accept	No changes sought to the notified provision.	No
254.11 ¹⁰	Christchurch International Airport Ltd	Definition of "regionally significant infrastructure"	Support definition of 'regionally significant infrastructure'. Retain definition of 'regionally significant infrastructure' as notified.	11.12	Accept	No changes sought to the notified provision.	No
373.8	KiwiRail Holdings Ltd	Definition of "regionally significant infrastructure"	Support the inclusion of strategic land transport network, which includes the rail network. Retain definition of 'regionally significant infrastructure' as notified.	11.12	Accept	No changes sought to the notified provision.	No
419.22 ¹¹	Department of Conservation	Definition of "regionally significant infrastructure"	Support inclusion of definition of 'regionally significant infrastructure'. However infrastructure not located within the District should be deleted from the definition. There is no requirement to include 'strategic infrastructure' within this definition as this has its own definition. It is important for protecting conservation values because 'regionally significant infrastructure' is included in the definition of 'specified infrastructure' in the National Policy Statement for Freshwater	11.12	Accept <i>in part</i>	The definition can be rationalised to exclude infrastructure not located within the District. However, there is strategic infrastructure within the district that needs to be included within the 'Regionally significant infrastructure' definition to ensure the Proposed Plan gives effect to the RPS.	Yes

¹⁰ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

¹¹ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>Management. Specified infrastructure can be located within natural inland wetlands if there is a functional need.</p> <p>Amend definition of 'regionally significant infrastructure' to delete infrastructure that is not located within the District:</p> <p>"a. strategic land transport network and arterial roads; b. Timaru Airport; c. Port of Timaru; d. commercial maritime facilities at Kaikoura; ... n. strategic infrastructure."</p>				
166.5	NZ Defence Force	Definition of "strategic infrastructure"	Supports that defence facilities are identified as 'strategic infrastructure', as they are critical for security, safety and wellbeing. Retain the definition of 'strategic infrastructure' as notified.	11.13	Accept	No changes sought to the notified provision.	No
195.14	Transpower NZ Ltd	Definition of "strategic infrastructure"	Support the definition of 'strategic infrastructure' as is generally consistent with the definition in the Canterbury Regional Policy Statement. Retain the definition of 'strategic infrastructure' as notified.	11.13	Accept	No changes sought to the notified provision.	No
254.15 ¹²	Christchurch International Airport Ltd	Definition of "strategic infrastructure"	Support definition of 'strategic infrastructure', particularly the recognition and identification of Christchurch International Airport. Retain definition of 'strategic infrastructure' as notified.	11.13	Accept	No changes sought to the notified provision.	No
373.10	KiwiRail Holdings Ltd	Definition of "strategic infrastructure"	Support the inclusion of the defined term 'strategic transport networks', which includes the rail network, in the 'strategic infrastructure' definition. Retain definition of 'strategic infrastructure' as notified.	3.3 Table B 1	Accept	No changes sought to the notified provision.	No
419.27 ¹³	Department of Conservation	Definition of "strategic infrastructure"	<p>Support inclusion of the definition of 'strategic infrastructure'. However, infrastructure not located within the District should be deleted from the definition, as follows:</p> <p>"means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as:</p> <p>a. strategic transport networks; b. Christchurch International Airport; c. Rangiora Airfield; d. Port of Lyttelton; ..."</p>	3.3 Table B 1	Accept in part	The definition can be rationalised to exclude infrastructure not located within the District.	Yes

¹² Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

¹³ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Table B 1: Recommended responses to submissions: EI-related definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.15	Transpower NZ Ltd	Definition of "tower"	Support the definition of 'tower' as is generally consistent with the definition in the National Environmental Standards for Electricity Transmission Activities. Retain the definition of 'tower' as notified.	11.1	Accept	No changes sought to the notified provision.	No
249.20	Mainpower NZ Ltd	Definition of "tower"	Support definition of 'tower'. Retain definition of 'tower' as notified.	11.1	Accept	No changes sought to the notified provision.	No
195.16	Transpower NZ Ltd	Definition of "transmission line"	Support the definition of 'transmission line' as it cross references the National Environmental Standards for Electricity Transmission Activities. Retain the definition of 'transmission line' as notified.	11.1	Accept	No changes sought to the notified provision.	No

Table B 2: Recommended responses to submissions: EI Introduction							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.6	Chorus, Spark and Vodafone	Introduction	<p>The structure of the District Plan and the relationship between the Energy and Infrastructure Chapter, other District wide chapters and the zone chapters is unclear. In addition, for plan workability and greater certainty it would be desirable to hyperlink all relevant district wide rules from the infrastructure rules/standards, to avoid having to reconcile potentially conflicting standards.</p> <p>Amend the structure of the Proposed District Plan and Infrastructure Section such that:</p> <ul style="list-style-type: none"> - The bullet points in the section titled "other potentially relevant District Plan provisions" clearly states that zone chapter rules do not apply unless specifically referred in the EI Chapter rules and standards. - Reference/Hyperlink all relevant infrastructure rules in district wide provisions from the EI rules and standards. - Delete all rules referring to infrastructure from the zone chapter rules and standards. 	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes
195.23 ¹⁴	Transpower NZ Ltd	Introduction	Oppose the directions in relation to the other potentially relevant District Plan provisions on the basis that the direction provides no clarity in terms of whether rules in other chapters apply to infrastructure, or whether the rules in the Energy and Infrastructure Chapter are generally intended to provide a standalone suite of provisions. As currently drafted, this directive	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

¹⁴ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

Table B 2: Recommended responses to submissions: EI Introduction							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>text has the effect of applying all rules to infrastructure activities even when the activity is provided for in the Energy and Infrastructure Chapter.</p> <p>Amend other potentially relevant District Plan provisions to explicitly set out where the Energy and Infrastructure provisions prevail and where (through direct cross reference) other chapters include relevant rules.</p>				
249.1	Mainpower NZ Ltd	Introduction	<p>Oppose how the Energy and Infrastructure Chapter links to the other District Plan provisions including the Coastal Environment Chapter. Seek that all relevant Coastal Environment provisions applicable to the activities of network utility operators be appropriately hyperlinked from the Energy and Infrastructure Chapter back to the Coastal Environment Chapter.</p> <p>Insert appropriate hyperlinks from the Energy and Infrastructure Chapter to the relevant coastal environment rules contained in the Coastal Environment Chapter.</p>	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes
249.46 ¹⁵	Mainpower NZ Ltd	Introduction	Oppose the terms 'regionally significant infrastructure', 'critical infrastructure' and strategic infrastructure', and replace with 'important infrastructure' to simplify terminology.	5.1.1	Reject	Definitions for 'regionally significant infrastructure', 'critical infrastructure' and strategic infrastructure' are from the RPS - a higher order document, and the District Plan must be consistent with and give effect to the RPS. Introducing a new term within the Proposed Plan is not considered necessary.	No
249.47 ¹⁶	Mainpower NZ Ltd	Introduction	Seeks a rule list in the Energy and Infrastructure Chapter with hyperlinks to relevant or applicable rules in other parts of the plan	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes
249.48	Mainpower NZ Ltd	Introduction	<p>Oppose how the Energy and Infrastructure Chapter links to the other district plan provisions and seek that all relevant provisions applicable to energy and infrastructure be consolidated and located as far as possible in a single part of the plan, and that hyperlinks are placed into the EI Chapter to ensure plan users are able to easily navigate to other parts of the plan.</p> <p>Amend 'Other potentially relevant District Plan provisions' by deleting existing text and replacing with the following:</p> <p><u>How this Chapter works and oOther potentially relevant District Plan provisions.</u></p>	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

¹⁵ Oppose – DoC [FS 77], KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

¹⁶ Support – Christchurch International Airport Ltd [FS 80] – Officer recommendation – accept

Table B 2: Recommended responses to submissions: EI Introduction							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><u>The Energy and Infrastructure Chapter is designed to work in the following way:</u></p> <p><u>As required by the National Planning Standards unless relating specifically to a Special Purpose Zone, the 'Energy, Infrastructure and Transport' heading has been created to be self-contained for all energy, transport and infrastructure works and activities. Under the National Planning Standards, it is permitted to have more than one chapter covering these matters under the 'Energy, Infrastructure and Transport' heading. In this Plan, energy and infrastructure matters are contained in a separate chapter to transport matters.</u></p> <p><u>The Energy and Infrastructure Chapter is designed to work in the following way:</u></p> <p><u>1. Except where hyperlinked this chapter sets out all provisions for energy and infrastructure activities.</u> <u>2. Where a rule from another chapter has been hyperlinked within this chapter, the relevant associated objectives and policies also apply when assessing an application for resource consent.</u> <u>3. Where an activity is within an Overlay, the associated objectives and policies from the relevant chapter for that overlay also apply when assessing an application for resource consent.</u></p>				
254.25 ¹⁷	Christchurch International Airport Ltd	Introduction	<p>Support references in the Introduction to the Energy and Infrastructure Chapter to the Canterbury Regional Policy Statement definitions of critical and regionally significant infrastructure but could be expanded to confirm the importance of provisions that provide for the important function and service of important infrastructure and network utilities.</p> <p>Amend the Introduction to the Energy and Infrastructure Chapter:</p> <p>"The term 'infrastructure' is defined in section 2 of the RMA. The RPS defines the terms 'critical infrastructure', 'strategic infrastructure', and 'regionally significant infrastructure'. There is considerable overlap in the types of infrastructure covered by these terms. Infrastructure may be provided by network utilities, or by entities other than network utilities, including the private provision of and connection to infrastructure. <u>Critical, strategic, and regionally significant infrastructure and network utilities are recognised through provisions which acknowledge their important function and service to the community. ...</u>"</p>	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

¹⁷ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

Table B 2: Recommended responses to submissions: EI Introduction							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.18	Kainga Ora – Homes and Communities	Introduction	Support the Energy and Infrastructure introduction.	5.1.1	Accept	No changes sought to the notified provision.	No
373.15	KiwiRail Holdings Ltd	Introduction	Support separate Infrastructure and Transport Chapters but clarity is sought within the introduction and interpretation sections as well as the structure of these chapters to clearly outline what rail activities are captured as infrastructure versus those captured as transport activities. Amend the introduction and interpretation sections of the Energy and Infrastructure and Transport Charters and re-structure these chapters in line with the Draft Wellington City District Plan approach.	4.1.1	Accept in part	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.7	Chorus, Spark and Vodafone	EI-O1	Support EI-O1 as it provides an appropriate and workable policy framework for telecommunications infrastructure. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
68.23	Canterbury District Health Board	EI-O1	Supports EI-O1(1) as it supports critical infrastructure, which includes hospitals. Retain EI-O1(1) as notified.	6.1	Accept	No changes sought to the notified provision.	No
111.10	CA and GJ McKeever	EI-O1	EI-O1 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O1.	6.1	Accept	No changes sought to the notified provision.	No
162.9	John Stevenson	EI-O1	EI-O1 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O1.	6.1	Accept	No changes sought to the notified provision.	No
166.10	NZ Defence Force	EI-O1	Support EI-O1 as appropriate that efficient, effective, resilient, safe and sustainable infrastructure can be developed and maintained to benefit the well-being of the District, including in response to future needs. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
195.24 ¹⁸	Transpower NZ Ltd	EI-O1	Generally support EI-O1 as, insofar as it relates to the National Grid, the Objective gives effect to the National Policy Statement on Electricity Transmission (particularly Policies 1 and 2) and the Canterbury Regional Policy Statement Policy 16.3.4. Seek a limited amendment to reflect that the benefits of nationally significant infrastructure, such as the National Grid, may accrue beyond the district, and to help implement EI-P1. Amend EI-O1:	6.1	Accept	Amendment gives better effect to the NPSET policies 1 and 2 and RPS policy 16.3.4 and EI-P1.	Yes

¹⁸ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – accept

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"1. efficient, effective, resilient, safe and sustainable energy and infrastructure, including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, <u>region and nation</u> including in response to future needs such as increased sustainability, and changing techniques and technology; ..."				
249.52 ¹⁹	Mainpower NZ Ltd	EI-O1	Support EI-O1 but seek more clarity. Amend EI-O1(1): "is efficient, effective, resilient, safe; and sustainable energy and infrastructure including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, including in response to future needs such as increased sustainability <u>and to recognise practical, technical and operational requirements</u> changing techniques and technology;"	6.1	Accept	The principle of the proposed amendment is accepted, however instead of 'practical, technical and operational requirements' prefer 'functional need' and 'operational need' as they are National Planning Standards defined terms that may better encompass what is sought.	Yes
254.26 ²⁰	Christchurch International Airport Ltd	EI-O1	Support EI-O1. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
256.10 ²¹	Chloe Chai and Mark McKitterick	EI-O1	EI-O1 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O1.	6.1	Accept	No changes sought to the notified provision.	No
275.11	Waka Kotahi NZ Transport Agency	EI-O1	Support EI-O1 as it recognises the need for infrastructure to be efficient, effective, resilient and safe, and for it to be developed and maintained to benefit the well-being of the District. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
303.9	Fire and Emergency NZ	EI-O1	Support EI-O1 as the objectives support and recognise the significance of critical infrastructures to the community. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
316.16	Canterbury Regional Council	EI-O1	Support EI-O1. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
325.19	Kainga Ora – Homes and Communities	EI-O1	Support EI-O1. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
373.17	KiwiRail Holdings Ltd	EI-O1	Support EI-O1 for effective, efficient, resilient, and safe infrastructure across the district. Retain EI-O1 as notified.	6.1	Accept	No changes sought to the notified provision.	No
418.10	Keith Godwin	EI-O1	EI-O1 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O1.	6.1	Accept	No changes sought to the notified provision.	No

¹⁹ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

²⁰ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

²¹ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.8	Chorus, Spark and Vodafone	EI-O2	EI-O2 provides an appropriate and workable policy framework for telecommunications infrastructure. Retain EI-O2 as notified.	6.2	Accept	No changes sought to the notified provision.	No
111.11	CA and GJ McKeever	EI-O2	EI-O2 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O2.	6.2	Accept	No changes sought to the notified provision.	No
162.10	John Stevenson	EI-O2	EI-O2 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O2.	6.2	Accept	No changes sought to the notified provision.	No
195.25 ²²	Transpower NZ Ltd	EI-O2	Support in part as in terms of National Grid, the outcome sought is consistent with and gives effect to the approach to managing effects set out in the National Policy Statement on Electricity Transmission, but suggests replacing 'avoid, remedy or mitigate' with 'manage', so that the breadth of responses is available, including offsetting or compensation. Amend EI-O2: "Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are managed avoided, remedied or mitigated. "	6.2	Accept <u>Reject</u>	Support replacing the terms "avoid, remedy or mitigate" with "manage" to ensure a greater spectrum of management approaches is provided <u>Consider avoid, remedy or mitigate provide greater detail as to the outcome sought by the objective.</u>	Yes <u>No</u>
249.53 ²³	Mainpower NZ Ltd	EI-O2	Support EI-O2 but seek to recognise practical, technical and operational requirements. Amend EI-O2: "Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated, <u>while having regard to the social and economic benefits, technical and operational requirements of important infrastructure.</u> "	6.2	Accept	Consider reference to "functional need" and "operational need" align with the National Planning Standards and better encompass the amendments sought.	Yes
254.27 ²⁴ ²⁵	Christchurch International Airport Ltd	EI-O2	Amend EI-O2 to recognise that there are practical, operational and technical constraints that important infrastructure must work within. Amend EI-O2: "Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated, <u>while having regard to the practical, technical and operational requirements of important infrastructure.</u> "	6.2	Accept	Consider reference to "functional need" and "operational need" align with the National Planning Standards and better encompass the amendments sought.	Yes

²² Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

²³ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

²⁴ Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

²⁵ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
256.11 ²⁶	Chloe Chai and Mark McKitterick	EI-O2	EI-O2 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O2.	6.2	Accept	No changes sought to the notified provision.	No
275.12 ²⁷	Waka Kotahi NZ Transport Agency	EI-O2	Amend EI-O2 as it is important to acknowledge that the ability to manage effects on surrounding environments and community well-being, also needs to take into account the functional and operational needs of infrastructure. Amend EI-O2: "Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated, <u>while recognising the functional need and operational need of energy and infrastructure.</u> "	6.2	Accept	Consider reference to "functional need" and "operational need" align with the National Planning Standards and better encompass the amendments sought.	Yes
303.26	Fire and Emergency NZ	EI-O2	Support EI-O2 as they support and recognise the significance of critical infrastructure to the community. Retain EI-O2 as notified.	6.2	Accept	No changes sought to the notified provision.	No
316.17 ²⁸	Canterbury Regional Council	EI-O2	Support in part as EI-O2 is not specific to significant natural and physical resources or regionally significant infrastructure, but a general hierarchy of effects may still be useful for providing guidance for resource consent applications. Consider whether to introduce a hierarchy to provide guidance as to when effects should be avoided in the first instance.	6.2	Accept <u>Reject</u>	A hierarchy of effects may be useful to identify matters to consider but this approach risks inadvertently ruling out matters that should be considered. Consider a hierarchical approach to the policy context is more appropriate. <u>Replacing the terms "avoid, remedy or mitigate" with "manage" ensures a greater spectrum of management approaches are provided.</u>	Yes <u>No</u>
325.20	Kainga Ora – Homes and Communities	EI-O2	Support EI-O2. Retain EI-O2 as notified.	6.2	Accept	No changes sought to the notified provision.	No
418.11	Keith Godwin	EI-O2	EI-O2 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. Neutral on EI-O2.	6.2	Accept	No changes sought to the notified provision.	No
62.9	Chorus, Spark and Vodafone	EI-O3	EI-O3 provides an appropriate and workable policy framework for telecommunications infrastructure. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
111.12	CA and GJ McKeever	EI-O3	EI-O3 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. It is appropriate that EI-O3 applies to San Dona as it is surrounded by Rural Lifestyle zoning. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
162.11	John Stevenson	EI-O3	EI-O3 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. It is appropriate that EI-O3 applies to San Dona as it is surrounded by Rural Lifestyle zoning. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
166.11	NZ Defence Force	EI-O3	Support EI-O3 as appropriate that reverse sensitivity is recognised and provided for in the plan. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No

²⁶ Oppose - Mark McKitterick [FS 2] – Officer recommendation – reject

²⁷ Support - KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

²⁸ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.26	Transpower NZ Ltd	EI-O3	Support EI-O3, insofar as the Objective relates to the National Grid, the outcome sought is consistent with (and gives effect to) the approach to managing effects on the National Grid set out in Policies 10 and 11 of the National Policy Statement on Electricity Transmission. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
249.54	Mainpower NZ Ltd	EI-O3	Support EI-O3 however seek to provide more clarity. Amend EI-O3: "The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not constrained or compromised by activities and development, including by reverse sensitivity effects and incompatible activities."	6.3	Accept in part	The term 'incompatible' clarifies that not all activities that are located near energy and infrastructure activities will create reverse sensitivity effects.	Yes
254.28 ²⁹	Christchurch International Airport Ltd	EI-O3	Amend EI-O3 to refer to 'incompatible' activities to provide greater clarity. Amend EI-O3: "The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not constrained or compromised by <u>incompatible</u> activities and development, including by reverse sensitivity effects."	6.3	Accept	The term 'incompatible' clarifies that not all activities that are located near energy and infrastructure activities will create reverse sensitivity effects.	Yes
256.12 ³⁰	Chloe Chai and Mark McKitterick	EI-O3	EI-O3 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. It is appropriate that EI-O3 applies to San Dona as it is surrounded by Rural Lifestyle zoning. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
275.13	Waka Kotahi NZ Transport Agency	EI-O3	Support EI-O3 including acknowledgement that reverse sensitivity is one way that infrastructure can be constrained or compromised. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
303.25	Fire and Emergency NZ	EI-O3	Support EI-O3 as they support and recognise the significance of critical infrastructure to the community. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
316.18	Canterbury Regional Council	EI-O3	Narrowing of the scope of this objective from all infrastructure in any location to the maintenance and upgrading of regionally significant and critical infrastructure may give better effect to the Canterbury Regional Policy Statement. Consider whether this should apply to all energy and infrastructure, as it currently does, or only energy and infrastructure that is for the good of the community or has a certain level of significance.	6.3	Accept in part	The suggested amendments narrow the scope of the objective to ensure that energy and infrastructure is not constrained or compromised by 'incompatible' activities.	Yes
325.21 ³¹	Kainga Ora – Homes and Communities	EI-O3	Amend EI-O3 to note that sometimes there are constraints for network utilities, such as existing sensitive activities or heritage or environmental constraint.	6.3	Accept in part	The suggested amendments narrow the scope of the objective to ensure that energy and	Yes

²⁹ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

³⁰ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

³¹ Oppose – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 3: Recommended responses to submissions: EI Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Amend EI-O3: "The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not <u>unreasonably</u> constrained or compromised by <u>other</u> activities and development, including by reverse sensitivity effects. "			infrastructure is not constrained or compromised by 'incompatible' activities.	
373.18	KiwiRail Holdings Ltd	EI-O3	Support EI-O3 recognising the need to protect infrastructure from being unreasonably constrained or compromised by other activities. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No
414.68 ³²	Federated Farmers of NZ Inc.	EI-O3	Oppose EI-O3 in part as it is inappropriate to protect the future upgrading and development of infrastructure. Existing land uses, such as farming, must not be unnecessarily constrained for the purpose of protecting a future activity that may be decades away. The District Plan must not compromise any Public Works Act processes. The reference to reverse sensitivity is specific to the National Grid as per the National Policy Statement on Electricity Transmission Policy 10, and does not apply to other public infrastructure. Amend 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 infrastructure is not <u>inappropriately</u> constrained or compromised by activities and development, including by reverse sensitivity effects. "	6.3	Accept in part	It is considered unreasonable to anticipate that infrastructure may be upgraded or developed in future. However, support the deletion of the term 'renewal', as the term is already captured by reference to the development of infrastructure.	Yes
418.12	Keith Godwin	EI-O3	EI-O3 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. It is appropriate that EI-O3 applies to San Dona as it is surrounded by Rural Lifestyle zoning. Retain EI-O3 as notified.	6.3	Accept	No changes sought to the notified provision.	No

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
41.18	Fulton Hogan	General	Insert a new policy that requires decision makers to recognise that access to the physical materials required for the construction, upgrade and maintenance of infrastructure is an important component of achieving EI-O1, as follows:	7.6	Reject	Agree that aggregate supply sterilisation is an issue relevant to the district plan review but disagree that the EI chapter is the appropriate place for an additional policy on	No

³² Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92], KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"Recognising materials requirements: Decision making on the use of land must take into account the physical construction materials requirements of infrastructure and, in particular, the critical role of aggregates for the sustainable management of communities."			this issue. This is understood to be a land use issue and better placed in the RURZ chapter for consideration.	
62.10	Chorus, Spark and Vodafone	EI-P1	Support EI-P1 as it provides a workable and appropriate policy framework for telecommunications infrastructure. Retain EI-P1 as notified.	7.2	Accept	No changes sought to the notified provision.	No
111.13	CA and GJ McKeever	EI-P1	Rezoning San Dona from Rural Lifestyle Zone to Large Lot Residential Zone would require additional connections to infrastructure, or upgrades. EI-P1 would apply regardless of zoning. Neutral on EI-P1.	7.2	Accept	No changes sought to the notified provision.	No
162.12	John Stevenson	EI-P1	Rezoning San Dona from Rural Lifestyle Zone to Large Lot Residential Zone would require additional connections to infrastructure, or upgrades. EI-P1 would apply regardless of zoning. Neutral on EI-P1.	7.2	Accept	No changes sought to the notified provision.	No
195.27	Transpower NZ Ltd	EI-P1	Support in part but seeks limited amendments to ensure that EI-P1(4) as notified is understood as an outcome alongside and in addition to the matters enabled by EI-P1(1), as opposed to being a subset of those matters. Amend EI-P1: "Recognise the local, regional or national benefits of energy and infrastructure, including the effective, safe, secure and efficient electricity transmission, electricity distribution, and supply of fuel and energy, through: 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 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; 45. providing for the effective, reliable and future-proofed communication networks and services; 56. providing for the effective, resilient, efficient and safe water supply, wastewater system and stormwater infrastructure; and community scale irrigation/stockwater;	7.2	Reject	Clauses 1 to 10 are not listed in any particular order of preference and are all components of the policy to be given effect to, so there is no need to 'elevate' clause 4.	No

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>67. 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;</p> <p>78. enabling feasibility investigations into renewable energy including for renewable electricity generation;</p> <p>89. providing for renewable energy and renewable electricity generation including small scale or community scale renewable electricity generation; and</p> <p>910. 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>				
249.55 ³³	Mainpower NZ Ltd	EI-P1	Support EI-P1 but seek to add further clarity to recognise the functional need and operational need of important infrastructure to locate in a particular area. Amend EI-P1 by including the following additional clause: "acknowledging that important infrastructure can have a functional need or operational need to locate in a particular area"	7.2	Reject	Recognition to 'functional need' and 'operational need' is given in EI-P5 (3) and (4).	No
254.29 ³⁴	Christchurch International Airport Ltd	EI-P1	Support EI-P1, with minor amendment, as follows: "Recognise the local, regional or national benefits of energy and infrastructure through: 1. enabling the <u>use</u> , operation, maintenance, repair, renewal, <u>development</u> , and removal of energy and infrastructure; ..."	7.2	Reject	It is considered 'use' is implicit in 'operation'. 'Development' is provided for under clause (2).	No
256.13 ³⁵	Chloe Chai and Mark McKitterick	EI-P1	Rezoning San Dona from Rural Lifestyle Zone to Large Lot Residential Zone would require additional connections to infrastructure, or upgrades. EI-P1 would apply regardless of zoning. Neutral on EI-P1.	7.2	Accept	No changes sought to the notified provision.	No
303.10	Fire and Emergency NZ	EI-P1	Support EI-P1 as it recognises the significance of infrastructure for communities as it serves as a lifeline utility during an emergency. Support the provision of an adequate water supply for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. It is noted that providing for effective, resilient, efficient and safe water supply in new developments and throughout the region is a top priority. Retain EI-P1 as notified.	7.2	Accept	No changes sought to the notified provision.	No
325.22 ³⁶	Kainga Ora – Homes and Communities	EI-P1	Amend EI-P1: "Recognise the local, regional or national benefits of energy and infrastructure through: ..."	7.2	Reject	The proposed amendment to clause 1 is unnecessary and would result in a degree of duplication between clauses 1 and 2. The proposed amendment to clause (4) is	No

³³ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

³⁴ Oppose – Kainga Ora [FS 88], – Officer recommendation – accept

³⁵ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

³⁶ Oppose – MainPower NZ Ltd [FS 58] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			2. providing for more than minor or significant upgrades to existing, and the development of new, energy and infrastructure; ... 4. providing for the effective, safe, secure and efficient electricity transmission, including on the National Grid <u>transmission lines</u> , <u>major electricity distribution lines</u> , and supply of fuel and energy; ..."			unnecessary as NPSET definition for "electricity transmission" is sufficient to support policy interpretation.	
373.19	KiwiRail Holdings Ltd	EI-P1	Support EI-P1 in particular (1) and (2) as they recognise the value of infrastructure and need to enable the operation, maintenance, repair, renewal, removal and upgrade of infrastructure. The Main North Line is an existing rail asset and its ability to function safely and efficiently over the life of the Plan, will rely on the ability to be maintained and upgraded as required. Retain EI-P1 as notified.	7.2	Accept	No changes sought to the notified provision.	No
418.13	Keith Godwin	EI-P1	Rezoning San Dona from Rural Lifestyle Zone to Large Lot Residential Zone would require additional connections to infrastructure, or upgrades, however EI-P1 will apply regardless zoning. Neutral on EI-P1.	7.2	Accept	No changes sought to the notified provision.	No
62.11	Chorus, Spark and Vodafone	EI-P2	Support EI-P2 as it provides a workable and appropriate policy framework for telecommunications infrastructure. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
111.14	CA and GJ McKeever	EI-P2	The proposed rezoning from Rural Lifestyle Zone to Large Lot Residential Zone will require additional connections to reticulated infrastructure and may require upgrades. EI-P2 applies to the District therefore applies regardless of zoning. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
142.6	Te Ngai Tuahuriri Runanga	EI-P2	Supports EI-P2(2) which anticipates the use of on-site systems for water and wastewater where reticulated services are not available. Retain EI-P2(2) as notified including the ability for areas outside of reticulated services to provide on-site services.	7.1	Accept	No changes sought to the notified provision.	No
162.13	John Stevenson	EI-P2	The proposed rezoning from Rural Lifestyle Zone to Large Lot Residential Zone will require additional connections to reticulated infrastructure and may require upgrades. EI-P2 applies to the District therefore applies regardless of zoning. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
249.56	Mainpower NZ Ltd	EI-P2	Support EI-P2. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
256.14 ³⁷	Chloe Chai and Mark McKittrick	EI-P2	The proposed rezoning from Rural Lifestyle Zone to Large Lot Residential Zone will require additional connections to reticulated infrastructure and may require upgrades. EI-P2 applies to the	7.1	Accept	No changes sought to the notified provision.	No

³⁷ Oppose – Mark McKittrick [FS 2] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			District therefore applies regardless of zoning. Retain EI-P2 as notified.				
316.19 ³⁸	Canterbury Regional Council	EI-P2	Support the connection of sites to reticulated infrastructure where available, as per the Canterbury Regional Policy Statement, and discourage clusters of small onsite wastewater systems as per clause (2) of EI-P2. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
325.23	Kainga Ora – Homes and Communities	EI-P2	Support EI-P2. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
373.20	KiwiRail Holdings Ltd	EI-P2	Support EI-P2 as it provides for integrated land use, development and infrastructure. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
418.14	Keith Godwin	EI-P2	The proposed rezoning from Rural Lifestyle Zone to Large Lot Residential Zone will require additional connections to reticulated infrastructure and may require upgrades. EI-P2 applies to the District therefore applies regardless of zoning. Retain EI-P2 as notified.	7.1	Accept	No changes sought to the notified provision.	No
62.12	Chorus, Spark and Vodafone	EI-P3	Support EI-P3 as it provides a workable and appropriate policy framework for telecommunications infrastructure. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
111.15	CA and GJ McKeever	EI-P3	The proposed rezoning will require additional connections to reticulated infrastructure and may require upgrades. Flexibility in potential engineering solutions that allow for new technologies is an appropriate response to servicing requirements. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
162.14	John Stevenson	EI-P3	The proposed rezoning will require additional connections to reticulated infrastructure and may require upgrades. Flexibility in potential engineering solutions that allow for new technologies is an appropriate response to servicing requirements. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
195.28	Transpower NZ Ltd	EI-P3	Support EI-P3 as it appropriately allows for the technology and approaches in the provision of infrastructure to evolve over time. This is particularly important to response to increased demand for electricity as New Zealand transitions to a zero-carbon economy. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
249.57	Mainpower NZ Ltd	EI-P3	Support EI-P3. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
256.15 ³⁹	Chloe Chai and Mark McKitterick	EI-P3	The proposed rezoning will require additional connections to reticulated infrastructure and may require upgrades. Flexibility in potential engineering solutions that allow for new technologies is an appropriate response to servicing requirements. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No

³⁸ Support – Momentum Land Ltd [FS 63] – Officer recommendation – accept

³⁹ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.24	Kainga Ora – Homes and Communities	EI-P3	Support EI-P3. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
373.21	KiwiRail Holdings Ltd	EI-P3	Support EI-P3 as it acknowledges the benefits that new technologies can bring to infrastructure in terms of efficiency of the operation, safety and resilience of the network. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
418.15	Keith Godwin	EI-P3	The proposed rezoning will require additional connections to reticulated infrastructure and may require upgrades. Flexibility in potential engineering solutions that allow for new technologies is an appropriate response to servicing requirements. Retain EI-P3 as notified.	7.1	Accept	No changes sought to the notified provision.	No
111.16	CA and GJ McKeever	EI-P4	EI-P4 applies District-wide and does not relate to the rezoning request sought by this submission. Neutral on EI-P4.	7.3	Accept	No changes sought to the notified provision.	No
162.15	John Stevenson	EI-P4	EI-P4 applies District-wide and does not relate to the rezoning request sought by this submission. Neutral on EI-P4.	7.3	Accept	No changes sought to the notified provision.	No
249.58	Mainpower NZ Ltd	EI-P4	Support EI-P4. Retain EI-P4 as notified.	7.3	Accept	No changes sought to the notified provision.	No
256.16 ⁴⁰	Chloe Chai and Mark McKitterick	EI-P4	EI-P4 applies District-wide and does not relate to the rezoning request sought by this submission. Neutral on EI-P4.	7.3	Accept	No changes sought to the notified provision.	No
316.20	Canterbury Regional Council	EI-P4	Support the intent, but sequestration trees may be considered to include wilding species, the spread of which is required to be avoided or minimised. In EI-P4 consider specifying that 'sequestration trees' do not include wilding or pest species.	7.3	Accept	Support the intent to maintain and enhance biodiversity so the policy is proposed to be amended to exclude wilding or pest species.	Yes
325.25	Kainga Ora – Homes and Communities	EI-P4	Amend EI-P4 as it can only be promoted, and delete aspects that are undertaken in a separate process, as follows: " Promote Seek more environmentally sustainable outcomes, where possible associated with energy and infrastructure, including by promoting: ... 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."	7.3	Reject	SD-O3(4) within the Proposed Plan aims to encourage more environmentally sustainable outcomes as part of subdivision and development, including though the use of energy efficient buildings, green infrastructure and renewable electricity generation. Using the term "encourage" is considered to be more consistent with this strategic direction. Full deletion of Clause (8) is not supported, as the drafting of the policy is not directive, rather it is aspirational and seeks more environmentally sustainable outcomes 'where possible'.	No
414.69	Federated Farmers of NZ Inc.	EI-P4	Seek clarity as EI-P4 is unclear whether it applies to new buildings or during renovation or maintenance. Concerned about additional costs on landholders for farm worker accommodation over and	7.3	Reject	The provisions only apply to new activities and are not applied retrospectively to	No

⁴⁰ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
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			above the new requirements for landlords in the Residential Tenancies Act. Amend EI-P4: "Seek more environmentally sustainable outcomes associated with energy and infrastructure in the <u>design and construction phase</u> , including by promoting..."			existing activities. Disagree an amendment is required.	
418.16	Keith Godwin	EI-P4	EI-P4 applies District-wide and does not relate to the rezoning request sought by this submission. Neutral on EI-P4.	7.3	Accept	No changes sought to the notified provision.	No
419.34 ⁴¹	Department of Conservation	EI-P4	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-P4 as notified.	7.3	Accept	No changes sought to the notified provision.	No
62.14	Chorus, Spark and Vodafone	EI-P5	Support EI-P5 but concerned that policies in other chapters such as Natural Features and Landscapes may override it. Retain EI-P5 and amend the policies for Natural Features and Landscapes (NFL-P1, NFL-P3 and NFL-P4) such that the management approach for these environments envisaged by EI-P5 is not overridden.	7.4	Accept	Under proposed amendments to the EI chapter Introduction (see EI Introduction table above), the Introduction is proposed to be amended so that the provisions of the NFL chapter will not apply as there are proposed to be controls in the EI chapter on the location of infrastructure in a range of 'sensitive environments' including NFL.	No
111.17	CA and GJ McKeever	EI-P5	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades. Neutral on EI-P5.	7.4	Accept	No changes sought to the notified provision.	No
162.16	John Stevenson	EI-P5	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades. Neutral on EI-P5.	7.4	Accept	No changes sought to the notified provision.	No
166.13	NZ Defence Force	EI-P5	Support EI-P5 as appropriate that the functional and operational locational needs of infrastructure are taken into account in decision-making on new or major upgrades of infrastructure. Retain EI-P5 as notified.	7.4	Accept	No changes sought to the notified provision.	No
178.8	Heritage New Zealand Pouhere Taonga	EI-P5	Supports approach that the route or site of new, or major upgrades to existing, energy and infrastructure are outside structures and settings with heritage values, and archaeological sites; and where this is not practicable, there are techniques to minimise or mitigate effects. Retain EI-P5(3) and (4) as notified.	7.4	Accept	No changes sought to the notified provision.	No
192.39 ^{42 43}	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest and Bird)	EI-P5	EI-P5 is too wide ranging and should be amended to better address higher order documents. Providing for all infrastructure in EI-P5(3), (4) and (5) is not consistent with the Canterbury Regional Policy Statement, Chapter 5. It does not avoid significant adverse effects in Significant Natural Areas both mapped and unmapped,	7.4	Accept <u>in part</u>	Amendments are required within the policy to navigate the competing higher order direction.	Yes

⁴¹ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁴² Oppose – Waka Kotahi NZ Transport Agency [FS 110], Federated Farmers [FS 83] – Officer recommendation – reject

⁴³ Neutral – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – neutral

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			and does not avoid adverse effects on New Zealand Coastal Policy Statement, policy 11(a) matters or avoid significant adverse effects on policy 11(b) matters. Reduce the scope of infrastructure in EI-P5 to limit the types of infrastructure that can avail themselves of EI-P5(3) and (4), or delete (5).			<p>Consider the objective and policy framework of the RPS elevates 'regionally significant infrastructure' from other infrastructure when it comes to managing the potential adverse effects of infrastructure in sensitive environments. As such, amendments to align this policy with Chapter 5 of the RPS are supported.</p> <p>Additionally, the scope to Clause (3) and (4) has been reduced so they only apply to regionally significant infrastructure. As a consequential amendment to provide for new energy and infrastructure that is not regionally significant, amendments to EI-P5(2) provide for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure while avoiding, remedying or mitigating adverse effects.</p>	
195.29 ⁴⁴	Transpower NZ Ltd	EI-P5	<p>Supports EI-P5 and considers the policy (as it relates to the National Grid) generally reflects the nuanced approach to the management of adverse effects set out in the National Policy Statement on Electricity Transmission (NPSET) Policies 7, 8 and 9 applied to a Waimakariri District context, including relevant considerations in NPSET Policies 3, 4 and 5.</p> <p>Notes that giving effect to the NPSET has been more efficiently achieved through a standalone National Grid policy or policies which may be appropriate alternative relief in order to properly give effect to the NPSET.</p> <p>Amend EL-P5:</p> <p>"1. enabling or providing for the ongoing operation, maintenance, repair, renewal, removal and minor upgrade of existing energy and infrastructure;</p> <p>2. avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects on:</p> <p>...</p>	7.4	Accept <u>in part</u>	<p>Consider this policy is generally consistent with and gives effect to the NPSET.</p> <p>Regarding the proposed new Clause x, the first part of the proposed clause is not supported, as new energy and infrastructure will not have existing adverse effects to reduce. However, it is agreed that using major upgrades as an opportunity to reduce existing adverse effects, is appropriate.</p>	Yes

⁴⁴ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

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			<p>c. <u>an existing</u> sensitive activity; ...</p> <p>3. new energy and infrastructure, or major upgrades to existing energy and infrastructure, should, to the extent considered 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> <p><u>x. the development of new energy and infrastructure, or major upgrades to existing energy and infrastructure, should be used as an opportunity to reduce existing adverse effects where appropriate to do so;</u></p> <p>4. where new energy and infrastructure, or major upgrades to existing energy and infrastructure, cannot locate outside of the sensitive environments in (3) above, the energy and infrastructure should, to the extent considered practicable, 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>6. avoiding or mitigating potential significant adverse effects of the generation of radio frequency fields and electric and magnetic fields by requiring compliance with recognised <u>New Zealand or international standards or guidelines; and...</u>"</p>				
249.59	Mainpower NZ Ltd	EI-P5	Support EI-P5 and note that biodiversity offsets should not be applicable to small scale projects where there are no residual effects. Retain EI-P5 as notified.	7.4	Accept	No changes sought to the notified provision.	No
254.30 ⁴⁵ ⁴⁶	Christchurch International Airport Ltd	EI-P5	<p>Amend EI-P5 to reflect the operational and technical constraints which may require that infrastructure to be operating in a particular manner or located in a particular place and that it will not always be possible or reasonable to avoid, remedy or mitigate adverse effects, as follows:</p> <p>"Manage adverse effects of energy and infrastructure, <u>whilst having regard to the practical, technical and operational requirements of infrastructure, including by the following: ...</u>"</p>	7.4	Reject	Consider the operational and technical constraints of infrastructure are already included within EI-P5(3) and (4) which require the consideration of the functional need or operational needs of the energy and infrastructure.	No

⁴⁵ Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁴⁶ Oppose – Kainga Ora [FS 88], – Officer recommendation – accept

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
256.17 ⁴⁷	Chloe Chai and Mark McKitterick	EI-P5	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades. Neutral on EI-P5.	7.4	Accept	No changes sought to the notified provision.	No
303.11	Fire and Emergency NZ	EI-P5	Support EI-P5. Retain EI-P5 as notified.	7.4	Accept	No changes sought to the notified provision.	No
316.21	Canterbury Regional Council	EI-P5	Biodiversity offsets should only be used where there is a strong likelihood that the offsets will be achieved in perpetuity. In EI-P5 clarify in clause (5) that biodiversity offsets should only be considered where there is a strong likelihood they can be achieved in perpetuity.	7.4	Accept	Amendments supported. Policy 9.3.6(4) of the RPS places limitations on the use of biodiversity offsets. It requires the application of a criteria where offsets are used, and this includes "where there is a strong likelihood that the offsets will be achieved in perpetuity".	Yes
325.26 ⁴⁸	Kainga Ora – Homes and Communities	EI-P5	Amend EI-P5 to link back to the objective, as follows: "Manage adverse effects of energy and infrastructure <u>on surrounding environments and community well-being</u> , including by the following: 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: ..."	7.4	Reject	Consider 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. Amendments to clause (2) are not supported, as these would disrupt the intended 'cascade' from Clause (1) to Clause (4).	No
414.70	Federated Farmers of NZ Inc.	EI-P5	Currently, the clause 1 of the policy constrains more than minor upgrades to energy and infrastructure, which is different to the objective. Clause 2 does not consider the effects on existing activities, particularly rural production activities, instead it only handles this generally under well-being of people and communities. Amend EI-P5 (2) by inserting an additional clause (f): "... f. rural production"	7.4	Reject	The policy operates as a 'cascade' from clauses (1) down to (4). Management of adverse effects includes enabling aspects of existing infrastructure that are anticipated to have no more than minor effects (clause 1). It then cascades to managing 'more than minor upgrades' to existing infrastructure (clause 2) then to managing 'new infrastructure, or major upgrades to existing infrastructure' (clauses 3 and 4). It is considered the relief sought in a proposed new clause (2)(f) is encompassed by the reference to 'the well-being of people and communities' in existing clause (2)(e) which may include all forms of economic activity.	No

⁴⁷ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

⁴⁸ Oppose - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
418.17	Keith Godwin	EI-P5	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades. Neutral on EI-P5.	7.4	Accept	No changes sought to the notified provision.	No
62.13	Chorus, Spark and Vodafone	EI-P6	Support EI-P6 as it provides a workable and appropriate policy framework for telecommunications infrastructure. Retain EI-P6 as notified.	7.5	Accept	No changes sought to the notified provision.	No
111.18	CA and GJ McKeever	EI-P6	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades to accommodate development. It is appropriate that the development ensure effects on infrastructure are considered at the time of consent. Neutral on EI-P6.	7.5	Accept	No changes sought to the notified provision.	No
162.17	John Stevenson	EI-P6	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades to accommodate development. It is appropriate that the development ensure effects on infrastructure are considered at the time of consent. Neutral on EI-P6.	7.5	Accept	No changes sought to the notified provision.	No
166.14	NZ Defence Force	EI-P6	Support EI-P6 as it is appropriate that the adverse effects of other activities and development on infrastructure are managed and that these effects do not compromise its operation or development. Retain EI-P6 as notified.	7.5	Accept	No changes sought to the notified provision.	No
195.30	Transpower NZ Ltd	EI-P6	<p>Supports in part EI-P6, however, considers that EI-P6 requires amendments to ensure it gives effect to Policies 10 and 11 of the National Policy Statement on Electricity Transmission and Policy 16.3.4 of the Canterbury Regional Policy Statement. Additionally, the term "intensive farming activities" in clause (2) is not defined in the Proposed District Plan and consideration should be given to whether this creates some ambiguity in the Policy.</p> <p>Amend EI-P6:</p> <p>"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</p> <p>2. with regards to the National Grid and major electricity 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>	7.5	Accept	<p>Agree, amendments are required to better give effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS. However, the submitter's proposed wording is more than the directives in the NPSET policies and alternative wording is recommended.</p> <p>The term 'intensive farming activities' is an undefined term within the Proposed Plan. Therefore 'intensive farming activities' has been replaced with 'intensive indoor primary production' which is a National Planning Standards definition and is used elsewhere in the Proposed Plan.</p>	Yes

Table B 4: Recommended responses to submissions: EI Policies							
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			<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>x. with regards to the National Grid, in addition to (1) above:</p> <p>a. <u>mapping the National Grid and identifying buffer corridors within which sensitive activities, including the expansion of an existing sensitive activity, are avoided; and, to the extent reasonably possible, managing other activities to avoid adverse effects, including reverse sensitivity effects, on the National Grid; and</u></p> <p>b. <u>managing subdivision to ensure the National Grid is not compromised, reverse sensitivity effects are avoided and good amenity and urban design outcomes are achieved;</u></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>				
249.60 ⁴⁹	Mainpower NZ Ltd	EI-P6	<p>Support EI-P6 but seek to provide further clarity. Amend EI-P6:</p> <p>"Avoid <u>Manage</u> adverse effects of other activities and development on energy and infrastructure, including by the following:</p> <p>1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, <u>replacement</u>, upgrading and development of energy and infrastructure; and</p> <p>..."</p>	7.5	Reject	It is proposed to retain the term "manage" (rather than 'avoid') to provide a greater breadth of management responses.	No

⁴⁹ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.31 ^{50 51}	Christchurch International Airport Ltd	EI-P6	<p>Seek that EI-P6 policy direction is strengthened by requiring avoidance rather than management of adverse effects. The policy could specify in more detail particular issues arising in the District, such as those related to noise sensitive activities and bird strike risk, which arise with respect to Christchurch Airport operations. There may be additional matters relevant to other strategic infrastructure which should also be listed.</p> <p>Amend EI-P6: "Manage Avoid adverse effects of other incompatible activities (including adverse reverse sensitivity effects) on and development of energy and infrastructure, including by the following: 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. <u>avoiding the establishment of noise sensitive activities within the 50 dBA Ldn Air Noise Contour;</u> 3. <u>managing the risk of bird strike to aircraft using Christchurch International Airport ..."</u></p>	7.5	Reject	It is proposed to retain the term "manage" (rather than 'avoid') to provide a greater breadth of management responses.	No
256.18 ⁵²	Chloe Chai and Mark McKitterick	EI-P6	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades to accommodate development. It is appropriate that the development ensure effects on infrastructure are considered at the time of consent. Neutral on EI-P6.	7.5	Accept	No changes sought to the notified provision.	No
295.76	Horticulture NZ	EI-P6	<p>Unclear what 'intensive farming activities' are and why the defined term of 'sensitive activities' is being extended to include 'intensive farming activities'.</p> <p>Either define intensive farming activities or delete it from the policy.</p> <p>Reword EI-P6 to give effect to the NPSET:</p> <p>"Manage adverse effects of other activities and development on energy and infrastructure, including by the following: ... 2. with regards to the National Grid and major electricity distribution lines, in addition to (1) above, by ensuring that: ..."</p>	7.5	Accept	The term 'intensive farming activities' is an undefined term within the Proposed Plan. Therefore 'intensive farming activities' has been replaced with 'intensive indoor primary production' which is a National Planning Standards definition and is used elsewhere in the Proposed Plan.	No

⁵⁰ Oppose – Momentum Land Ltd [FS 63], Fulton Hogan [FS 118] – Officer recommendation – accept, Oppose – Kainga Ora [FS 88], – Officer recommendation – accept

⁵¹ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

⁵² Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject, Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

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			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 <u>to the extent reasonably possible</u> ..."				
303.12	Fire and Emergency NZ	EI-P6	Support EI-P6 as it ensures that radiocommunication pathways associated with critical infrastructure, emergency purposes and day to day operation of an emergency service, are not adversely affected by other activities and developments. Retain EI-P6 as notified.	7.5	Accept	No changes sought to the notified provision.	No
316.22	Canterbury Regional Council	EI-P6	Support the maintenance and upgrading of regionally significant and critical infrastructure but not necessarily the establishment of all infrastructure in any location regardless of what activities are located nearby. In EI-P6 consider whether clause (a) should apply to all infrastructure or only that which has a certain level of significance or already exists.	7.5	Reject	It is recommended that Clause (2) only applies to 'major electricity distribution lines' which are mapped in the Proposed Plan, so it will not apply to all infrastructure.	No
325.27 53 54	Kainga Ora – Homes and Communities	EI-P6	Acknowledges the need to give effect to the requirements of the National Policy Statement for Electricity Transmission (2008). However, this 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. Amend EI-P6: "Manage adverse effects of other activities and development on energy and infrastructure, including by the following: ... 2. with regards to the National Grid and major electricity distribution lines , in addition to (1) above, by ensuring that: 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 ..."	7.5	Reject	Electricity distribution is included within the definition of 'regionally significant infrastructure' within the RPS. RPS Policy 5.3.9(1) includes direction to: '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' Given this I consider the requirement within EI-P6(1) gives effect to the RPS.	No

⁵³ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

⁵⁴ Support – Richard and Geoff Spark [FS 37], Michael and Jean Schluter [FS 89] – Officer recommendation – accept

Table B 4: Recommended responses to submissions: EI Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
373.22	KiwiRail Holdings Ltd	EI-P6	Support EI-P6 as it ensures that the safe and efficient operation of infrastructure is not compromised by adverse effects of other activities. Retain EI-P6 as notified.	7.5	Accept	No changes sought to the notified provision.	No
414.71 ⁵⁵	Federated Farmers of NZ Inc.	EI-P6	Oppose as EI-P6 introduce additional stringency without justification where it goes beyond the constraints on surrounding land use in electricity transmission corridors provided in the National Policy Statement on Electricity Transmission (NPS-ET). EIP6 also introduces a term 'intensive farming activities' which is not defined in the plan. The requirement of the NPS-ET is only for activities to be reasonably managed to avoid reverse sensitivity effects on the electricity transmission network. The remaining policies cover the ground well, and the rules give effect to the NZ Electrical Code of Practice and are anticipated by the NPS-ET. EI-P5 manages the adverse effects of energy and infrastructure, and additional effects requiring management are beyond adverse effects has not been explained. Delete EI-P6.	7.5	Reject	Deletion of EI-P6 is not supported. Consider amendments are required to better give effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS. Regarding the term 'intensive farming activities', it is recognised this is an undefined term within the Proposed Plan. Therefore 'intensive farming activities' has been replaced with 'intensive indoor primary production' which is a National Planning Standards definition and is used elsewhere in the Proposed Plan.	No
418.18	Keith Godwin	EI-P6	The proposed rezoning would require additional connections to reticulated infrastructure and may require upgrades to accommodate development. It is appropriate that the development ensure effects on infrastructure are considered at the time of consent. Neutral on EI-P6.	7.5	Accept	No changes sought to the notified provision.	No

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.15	Chorus, Spark and Vodafone	EI-R1	Support EI-R1 as notified. Retain EI-R1 as notified.	8.1	Accept	No changes sought to the notified provision.	No
195.31	Transpower NZ Ltd	EI-R1	Support EI-R1 and notes that the Rule, insofar as it relates to the National Grid, is consistent with the extent of regulation in the National Environmental Standards for Electricity Transmission Activities. Retain EI-R1 as notified.	8.1	Accept	No changes sought to the notified provision.	No
249.61	Mainpower NZ Ltd	EI-R1	Support EI-R1. Retain EI-R1 as notified.	8.1	Accept	No changes sought to the notified provision.	No

⁵⁵ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92], KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.28 ⁵⁶	Kainga Ora – Homes and Communities	EI-R1	Support EI-R1. Retain EI-R1 as notified.	8.1	Accept	No changes sought to the notified provision.	No
373.23	KiwiRail Holdings Ltd	EI-R1	Support the permitted activity status of the maintenance or removal of existing infrastructure in all zones in EI-R1. The rail network requires ongoing maintenance to operate safely and efficiently. Retain EI-R1 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.16	Chorus, Spark and Vodafone	EI-R2	Support EI-R2 as notified. Retain EI-R2 as notified.	8.4	Accept	No changes sought to the notified provision.	No
62.62 ⁵⁷	Chorus, Spark and Vodafone	EI-R2	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R2 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept in part	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
195.32 ⁵⁸	Transpower NZ Ltd	EI-R2	Support in part. Suggest the reference to “standards in any relevant overlay” is unclear and unnecessary and can more succinctly and clearly manage access track works in the relevant overlays. Amend EI-R2: “1. the activity shall comply with Earthworks standards EW-S1 to EW-S7, as well as any Earthworks standards in any relevant overlay.”	8.4	Accept	The requested amendment will provide greater clarity.	Yes
249.62	Mainpower NZ Ltd	EI-R2	Support EI-R2. Retain EI-R2 as notified.	8.4	Accept	No changes sought to the notified provision.	No
325.24	Kainga Ora – Homes and Communities	EI-R2	Support EI-R2. Retain EI-R2 as notified.	8.4	Accept	No changes sought to the notified provision.	No
373.24	KiwiRail Holdings Ltd	EI-R2	Support the ability to construct and extend vehicle access tracks, as a permitted activity in all zones in EI-R2. Vehicle access to the rail corridor is required in order to undertake inspections and regular maintenance of the rail network. Retain EI-R2 as notified.	8.4	Accept	No changes sought to the notified provision.	No
414.72	Federated Farmers of NZ Inc.	EI-R2	Unclear if the rule also applies to agricultural activities where the track has dual or multiple use, or if the more stringent rules for the various rural zones and overlays override this. Many access tracks, particularly in the hill country, have multiple use. Submitter prefer a permitted activity status for maintenance of existing vehicle tracks where they exist across all zones and overlays.	8.4	Reject	The rule is not applicable to agricultural activities. This rule is in the Energy and Infrastructure chapter and is in a section of ‘general rules applicable to all energy and infrastructure’. The rule specifically applies to vehicle access tracks ancillary to infrastructure. Agricultural activities are not	No

⁵⁶ Support - Michael and Jean Schluter [FS 89] – Officer recommendation – accept

⁵⁷ Support – Waka Kotahi NZ Transport Agency [FS 110], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁸ Support - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Amend EI-R2 by inserting an additional sentence for clarification: <u>"This rule applies to existing vehicle access tracks that have dual or multiple use, such as for primary production."</u>			energy and infrastructure. With regards to construction of new, or widening or extension of existing, vehicle access tracks ancillary to agricultural activities, these would be subject to the provisions of the relevant zone, as well as the District-wide earthworks provisions.	
62.17	Chorus, Spark and Vodafone	EI-R3	Support EI-R3. Retain EI-R3 as notified.	8.1	Accept	No changes sought to the notified provision.	No
249.63	Mainpower NZ Ltd	EI-R3	Support EI-R3 (but have sought to include 'telemetry equipment' under the definition of 'ancillary infrastructure equipment' (under separate submission point 249.7 in the 'Definitions' table). Retain EI-R3 as notified.	8.1	Accept	No changes sought to the notified provision.	No
325.30	Kainga Ora – Homes and Communities	EI-R3	Support EI-R3. Retain EI-R3 as notified.	8.1	Accept	No changes sought to the notified provision.	No
373.25	KiwiRail Holdings Ltd	EI-R3	Support the permitted activity status of ancillary infrastructure equipment in all zones in EI-R3. Retain EI-R3 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.29	Chorus, Spark and Vodafone	EI-R4	<p>EI-R4 (1) requires Restricted Discretionary resource consent where it involves a customer connection being externally attached to a building that is scheduled as having historic heritage values.</p> <p>Ongoing discussions between telecommunications operators and Heritage New Zealand Pouhere Taonga over how customer connections to heritage buildings should be addressed. Other plans enable connections as a controlled activity where control is around minimising impacts on the heritage item whilst still allowing for reasonable and practical use of heritage listed buildings and to support the adaptive use of such buildings.</p> <p>(5) of the rule requires that above ground infrastructure for a new customer connection shall comply with all other relevant Energy and Infrastructure rules. This clause is uncertain and it is submitted that the rule should be self-contained within EI-R4 or relevant rules are hyperlinked from this rule.</p> <p>Amend E1-R4 as necessary and add a new controlled activity rule such that a customer connection to a building or structure with heritage values is provided for as a controlled activity, with the matters of control limited to the following:</p>	8.5	Reject	It is not recommended that downgrading activity status when compliance not achieved from Restricted Discretionary to Controlled be accepted. The Introduction is proposed to be amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones. Assuming that recommendation is successful, the Historic Heritage chapter would not apply to the Energy and Infrastructure chapter. The rationale for this, is that the EI chapter currently contains controls on the location of infrastructure in a range of 'sensitive environments', including places with historic heritage values. That being the case, there is greater reliance on the provisions of the EI chapter to manage adverse effects of EI on places with historic heritage values. The equivalent activity status under the Historic Heritage rules when compliance is not achieved is Restricted Discretionary. It is considered the equivalent status under the EI rules should therefore apply to maintain the level of protection to historic heritage values. Based	No

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			<p><u>Design and placement of the customer connection to minimise impacts on the values and attributes of the heritage building or structure.</u></p> <p>Delete Clause 5 or amend by cross-reference/hyperlink to other specific EI rules that are intended to apply to above ground customer connections.</p>			<p>on the above, it is proposed the activity status under EI-R4 when compliance not achieved remains Restricted Discretionary. The rule would also only apply to places with historic heritage values identified in the District Plan, which limits the focus of the rule.</p> <p>It is also not recommended the requested amendment to clause 5 be accepted. The intent of the clause is that above ground infrastructure necessary to achieve a customer connection should comply with all other applicable EI rules, be it (for example) a pole or an infrastructure cabinet. All infrastructure has to comply with all relevant or applicable provisions in the EI chapter.</p>	
62.63 ⁵⁹	Chorus, Spark and Vodafone	EI-R4	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R4 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
249.64	Mainpower NZ Ltd	EI-R4	Support EI-R4. Retain EI-R4 as notified.	8.5	Accept	No changes sought to the notified provision.	No
270.10	George JasonSmith	EI-R4	<p>EI-R4 could be interpreted as allowing a vehicle access to be built anywhere on a property, regardless of any adverse effects on safety or the network. Reference to transport matters being dealt with in the Transport Chapter is insufficient to overcome this confusion.</p> <p>Amend EI-R4 by adding the words "excluding transport infrastructure" to its title, and amend all related objectives, rules, standards and matters of discretion accordingly.</p>	8.5	Reject	<p>Rule EI-R4 is about customer connections between infrastructure and a site, not vehicle access.</p> <p>The Introduction to the EI chapter is proposed to be amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones. The proposed amendments make it clear the Transport chapter applies to infrastructure.</p> <p>The Introduction to the EI chapter as currently worded makes it clear that provisions relating to Transport are located in the Transport chapter. New vehicle access would be subject to the relevant</p>	No

⁵⁹ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						Transport chapter provisions, such as for vehicle crossings or vehicle accessways.	
325.31 ⁶⁰	Kainga Ora – Homes and Communities	EI-R4	Support EI-R4. Retain EI-R4 as notified.	8.5	Accept	No changes sought to the notified provision.	No
249.65	Mainpower NZ Ltd	EI-R5	Support EI-R5. Retain EI-R5 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.16	Chorus, Spark and Vodafone	EI-R6	Support EI-R6. Retain EI-R6 as notified.	8.6	Accept	No changes sought to the notified provision.	No
195.33	Transpower NZ Ltd	EI-R6	Generally support EI-R6 however amend the accompanying Advisory Note to reflect the effects of vegetation on electricity lines. Amend the Advisory note to EI-R6: "Advisory Notes - This rule applies to situations such as protecting the <u>security</u> , safe operation or maintenance of overhead lines or removing an associated potential fire <u>electrical risk</u> or risk to the <u>public</u> , or maintaining sight lines from an intersection. ..."	8.6	Accept	I agree that the suggested amendment provide greater clarity as to when this rule applies.	Yes
249.66	Mainpower NZ Ltd	EI-R6	Support EI-R6. Retain EI-R6 as notified.	8.6	Accept	No changes sought to the notified provision.	No
325.32	Kainga Ora – Homes and Communities	EI-R6	Support EI-R6. Retain EI-R6 as notified.	8.6	Accept	No changes sought to the notified provision.	No
373.26 ⁶¹	KiwiRail Holdings Ltd	EI-R6	Support the ability to trim or remove trees and vegetation required for the safe operation of infrastructure as a permitted activity, as the rail corridor is often bordered by vegetation. Amend advisory notes for EI-R6 to include reference to 'infrastructure' in general. Amend the first advisory note under EI-R6: "This rule applies to situations such as protecting the safe operation or maintenance of <u>infrastructure</u> , overhead lines or removing an associated potential fire risk, or maintaining sight lines from an intersection ..."	8.6	Accept	I agree that the suggested amendment provide greater clarity as to when this rule applies.	Yes
62.19	Chorus, Spark and Vodafone	EI-R7	Support EI-R7. Retain EI-R7 as notified.	8.7	Accept	No changes sought to the notified provision.	No
62.64 ⁶²	Chorus, Spark and Vodafone	EI-R7	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met.	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes

⁶⁰ Support – McAlpines Ltd [FS 102] – Officer recommendation – accept

⁶¹ Support - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁶² Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

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			Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R7 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.				
249.67	Mainpower NZ Ltd	EI-R7	Support EI-R7 as it anticipates poles that are a part of a electricity distribution line. Retain EI-R7 as notified.	8.7	Accept in part	<p>The requested amendment highlights potentially confusing overlap in provisions that requires clarification.</p> <p>EI-R7 is not intended to apply to the activities provided for under EI-R12, EI-R24, EI-R26, EI-R28, EI-R29, EI-R41 or EI-R44.</p> <p>Rule EI-R7 is intended to provide for new freestanding poles in the road corridor that serve other purposes, such as (but necessarily limited to) road lighting.</p> <p>An amendment to EI-R7 is therefore proposed to make this clarification.</p>	Yes
62.20	Chorus, Spark and Vodafone	EI-R8	Support EI-R8. Retain EI-R8 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.65 ⁶³	Chorus, Spark and Vodafone	EI-R8	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R8 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
249.68	Mainpower NZ Ltd	EI-R8	Support EI-R8. Retain EI-R8 as notified.	8.1	Accept	No changes sought to the notified provision.	No
325.33	Kainga Ora – Homes and Communities	EI-R8	Support EI-R8. Retain EI-R8 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.21	Chorus, Spark and Vodafone	EI-R9	Support EI-R9. Retain EI-R9 as notified.	8.8	Accept	No changes sought to the notified provision.	No
62.66 ⁶⁴	Chorus, Spark and Vodafone	EI-R9	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes

⁶³ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁶⁴ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

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			discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R9 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.				
166.15	NZ Defence Force	EI-R9	Support EI-R9. Retain EI-R9 as notified.	8.8	Accept	No changes sought to the notified provision.	No
195.34	Transpower NZ Ltd	EI-R9	Support EI-R9 but does not support EI-MD4. Any matter that could be considered under EI-MD4 would also fall under EI-MD14 which is more directly relevant to EI-R9. Amend the Matters of Discretion that apply to EI-R9: "Matters of discretion are restricted to: EI-MD4 – Health and safety EI-MD14 - Extent of effects"	8.8	Reject	The matters in EI-MD4 are more specific than those in EI-MD14 which is more general, so EI-MD4 should apply in addition to EI-MD14.	No
249.69	Mainpower NZ Ltd	EI-R9	Support EI-R9 on basis that rule would allow for temporary electricity generation equipment and temporary overhead lines which may be transportable. Amend EI-R9: "Use of temporary <u>and transportable</u> infrastructure ... Matters of discretion are restricted to: <u>EI-MD3 – Operational considerations</u> EI-MD4 - Health and safety EI-MD14 - Extent of effects"	8.8	Accept in part	Inclusion of 'transportable' in the rule title is unnecessary as 'temporary infrastructure' is defined as including portable or transportable infrastructure. The definition for 'temporary infrastructure' is hyperlinked so is easily available to plan users. EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
62.30	Chorus, Spark and Vodafone	EI-R10	Clauses (1) and (2) of EI-R10 are unclear. New infrastructure in roads is exempt from the root protection areas, Significant Natural Areas and adjoining the coastal marine area in (1), while upgrades in (2) are subjected to restrictions. Amend EI-R10 to make the scope and application of the rule clearer.	8.9	Accept in part	A restructuring and rewording of the rule is proposed in an effort to clarify application of the rule.	Yes
195.35	Transpower NZ Ltd	EI-R10	Support in part as the submitter does not support the matter of discretion EI-MD2. It is difficult to understand the impact generated by underground infrastructure on amenity values as underground infrastructure does not have any discernible adverse effects. Amend the Matters of Discretion that apply to EI-R10: "Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment EI-MD2 – Amenity values, location and design EI-MD3 - Operational considerations"	8.9	Accept in part	Clause (4) of EI-MD2 is relevant. It is proposed to amend the rule to restrict discretion under EI-MD2 to clause (4).	Yes
249.70	Mainpower NZ Ltd	EI-R10	Support EI-R10. Retain EI-R10 as notified.	8.9	Accept	No changes sought to the notified provision.	No
325.34	Kainga Ora – Homes and Communities	EI-R10	Support EI-R10. Retain EI-R10 as notified.	8.9	Accept	No changes sought to the notified provision.	No

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
419.35 ⁶⁵	Department of Conservation	EI-R10	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R10 as notified.	8.9	Accept	No changes sought to the notified provision.	No
62.31	Chorus, Spark and Vodafone	EI-R11	<p>The only permitted activity standard is an allowance for a 5m shift. However, there is an advisory note in regard to E1-R10(2) underground infrastructure. It is unclear how this relates to EI-R11 for relocation infrastructure as it is not expressed as a standard. Therefore, it appears that two separate rules may apply to relocation of underground infrastructure which is confusing. If EI-R10(2) it is intended be a standard this should be included as such within EI-R11 for clarity rather than an advisory note. It is also unclear why there would be a limit on how far underground infrastructure can be relocated.</p> <p>Amend EI-R11 by either deleting the advisory note or adding the requirements of EIE10(2) clearly as a standard within EI-R11. Amend EI-R11 such that the 5m shift restriction only applies to above ground infrastructure.</p>	8.10	Accept in part	The relationship between EI-R10(2) and EI-R11 is not clear. To resolve this uncertainty, I consider amendment should be made to clarify that EI-R10 applies to underground infrastructure and EI-R11 applies to above ground infrastructure. As such I agree with the deletion of the advisory note associated with EI-R11, and I recommended EI-R11 is amended to clarify that it only applies to above ground infrastructure.	Yes
62.67 ⁶⁶	Chorus, Spark and Vodafone	EI-R11	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R11 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
195.36	Transpower NZ Ltd	EI-R11	Support EI-R11 as it is generally consistent with the National Environmental Standards for Electricity Transmission Activities. Retain EI-R11 as notified.	8.10	Accept	No changes sought to the notified provision.	No
249.71	Mainpower NZ Ltd	EI-R11	Support EI-R11. Retain EI-R11 as notified.	8.10	Accept	No changes sought to the notified provision.	No
62.68 ⁶⁷	Chorus, Spark and Vodafone	EI-R12	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R12 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes

⁶⁵ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁶⁶ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁶⁷ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.37	Transpower NZ Ltd	EI-R12	<p>Support in part as submitter seeks to amend the rule to be generally consistent with the National Environmental Standards for Electricity Transmission Activities.</p> <p>Amend EI-R12: "Where: 1. a pole shall not be replaced with a tower; 2. a replacement pole or tower shall not exceed the height <u>at the date of public notification of the District Plan by more than 15% in relation to infrastructure of the replaced pole or tower;</u> 3. the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point; 4. a single pole may be replaced with a pi-pole for safety or structural reasons; 5. the footprint of a replaced tower shall not exceed the width of the tower by more than 25%; and 6. a replaced pole or tower shall be removed once its replacement is in place and is operational."</p>	8.11	Accept <u>in part</u>	Support amending the rule to align it with the NESETA, albeit with a slightly different wording arrangement as the definition of 'height in relation to infrastructure' is still relevant. The amendment proposed provides some limitation on the extent to which the height of a replaced pole or tower could be increased.	Yes
249.72 ⁶⁸	Mainpower NZ Ltd	EI-R12	<p>Support EI-R12 but seek to provide more flexibility.</p> <p>Amend EI-R12: "Replacement of a pole or tower <u>(except where provided for under EI-R7)...</u> 1. a pole shall not be replaced with a tower; 2. <u>a replacement pole or tower does not exceed the height of the original pole or tower by more than 40 percent, measured from the top of the foundation.</u> 3. a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower; 4. the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point; 5. a single pole may be replaced with a pi-pole <u>or H pole</u> for safety or structural reasons <u>and the width of the Pi pole or H pole must not exceed three times that of the replaced pole at its widest point (including the cross-arm);</u> 6. the footprint of a replaced tower shall not exceed the width of the tower by more than 25%; and 7. a replaced pole or tower shall be removed once its replacement is in place and is operational. ... Matters of discretion are restricted to:</p>	8.11	Accept <u>in part</u>	It is noted that EI-R7 is not relevant to EI-R12 as EI-R12 relates to replacing a pole or tower rather than installing a new pole. It is considered that the extent of additional height allowance requested for a replacement pole or tower (an additional 40%) is excessive. The additional height allowance requested by Transpower (an additional 15%) aligns with the permitted activity threshold within the NESETA ⁶⁹ and is therefore supported. The proposed width restriction when replacing a single pole with a pi-pole (or H-pole) in clause 4 of the proposed plan rule is supported and there is a consequential amendment to clause 5 of the proposed plan rule for consistency. Finally, the requested deletion of EI-MD14 is not accepted as the consideration of effects within EI-MD-14 is considered appropriate for this activity.	Yes

⁶⁸ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁶⁹ Permitted activity 14 condition (3)

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			- <u>EI-MD3 Operational considerations</u> - <u>EI-MD14 – Extent of effects</u> "				
414.73 ⁷⁰	Federated Farmers of NZ Inc.	EI-R12	<p>Additions to poles or towers are often for an increase in line capacity or voltage which results in an increase in the corridor width adjacent to the line (under the NZECP34:2001). Whilst the width is limited in this instance to twice the width of the cross-arm (and no increase in height), there is no limitation on the number of times that this upgrade can occur thus, a stealth increase in corridor width could gradually occur without any landholder permission.</p> <p>Amend EI-R12 by limiting it to one event only: "This rule can only be used once per pole on any given transmission line. Further upgrades require consent."</p>	8.11	Reject.	The amendment is considered unduly restrictive with regards transmission lines, which falls within the RPS definitions of 'critical infrastructure', 'strategic infrastructure', and 'regionally significant infrastructure'.	No
62.69 ⁷¹	Chorus, Spark and Vodafone	EI-R13	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R13 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
249.74 ⁷²	Mainpower NZ Ltd	EI-R13	<p>Support EI-R13 but propose to provide further clarity and provide more flexibility.</p> <p>Amend EI-R13: "Addition of equipment to a pole or tower..." 1. <u>Equipment mounted on a support structure does not exceed a volume of 2m³</u> 2. the combined diameter or width of the existing pole or tower plus the addition (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point); and 3. <u>Equipment mounted on a support structure does not exceed the height of the existing pole or tower.</u> 4. the combined height in relation to infrastructure of the existing pole or tower plus the addition shall not exceed that of the existing pole or tower. ... Matters of discretion are restricted to:</p>	8.12	Accept <u>in part</u>	Support the addition of a fixed limit of 2m ³ for new equipment, but recommend this limit is included in addition to the existing clause (1) to provide greater flexibility. Support in part with the amendment to clause (2) as it is considered to improve the readability of the clause. Retaining 'height in relation to infrastructure' is recommended as this is a defined term in the Proposed Plan. The addition of EI-MD2 and EI-MD3 are supported. The deletion of EI-MD14 is not accepted as the consideration of effects within EI-MD-14 is considered appropriate for this activity.	Yes

⁷⁰ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁷¹ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁷² Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			- EI-MD2 Amenity values, location and design - EI-MD3 Operational Considerations - EI-MD14 Extent of effects"				
295.77 ⁷³ 74	Horticulture NZ	EI-R13	Where an existing pole or tower is being added to, there may be adverse effects on the landowner from any increased compliance required with NZECP34:2001. Amend EI-R13: "Where: ... 3. there are no increased compliance requirements with NZECP34:2001 for landowners." Amendments needed to EI-MD14 to ensure matters of discretion for a restricted discretionary activity include consideration of adverse effects on landowners resulting from increased compliance requirements.	8.12	Reject	The amendments requested are considered unnecessary. The requested consideration described could already occur under EI-MD14, which states (emphasis added): "The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects. " 'Any effects including cumulative effects' could include effects of potential increased compliance requirements on landowners, which may more appropriately be addressed through agreement between the line operator and landowner.	No
414.74 ⁷⁵	Federated Farmers of NZ Inc.	EI-R13	Additions to poles or towers are often for an increase in line capacity or voltage which results in an increase in the corridor width adjacent to the line (under the NZECP34:2001). Whilst the width is limited in this instance to twice the width of the cross-arm (and no increase in height), there is no limitation on the number of times that this upgrade can occur thus, a stealth increase in corridor width could gradually occur without any landholder permission. Amend EI-R13 by limiting it to one event only: "This rule can only be used once per pole on any given transmission line. Further upgrades require consent."	8.12	Reject	As above [295.77]	No
62.22	Chorus, Spark and Vodafone	EI-R14	Support EI-R14. Retain EI-R14 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.70 ⁷⁶	Chorus, Spark and Vodafone	EI-R14	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes

⁷³ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁷⁴ Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁷⁵ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁷⁶ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R14 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.				
249.73	Mainpower NZ Ltd	EI-R14	Support EI-R14. Retain EI-R14 as notified.	8.1	Accept in part	See 62.70	No
62.23	Chorus, Spark and Vodafone	EI-R15	Support EI-R15. Retain EI-R15 as notified.	8.13	Accept	No changes sought to the notified provision.	No
62.71 ⁷⁷	Chorus, Spark and Vodafone	EI-R15	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R15 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
249.75 ⁷⁸	Mainpower NZ Ltd	EI-R15	Support EI-R15 but seek to provide more clarity and flexibility to upgrade and replace existing infrastructure cabinets, kiosks and infrastructure buildings. Amend EI-R15: "Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u> or infrastructure building <u>unless provided for under new rule EI-X 'Electricity Cabinets and kiosks'</u> 1. the replacement shall not increase the footprint <u>or the height</u> of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u> or infrastructure building by more than 30%; and 2. <u>the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u> 3. outside a road corridor, where an existing infrastructure building is located in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the replacement infrastructure building shall comply with the building internal boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3. ...	8.13	Accept <u>in part</u>	The requested amendments to clauses (1) and (3), and the Matters of Discretion are accepted. With regards clause (3), it may not be necessary to apply internal boundary setbacks and recession plane requirements to the replacement of existing infrastructure cabinets or infrastructure buildings. The requested amendments are also consistent with a new definition for 'electricity cabinets and kiosks' which is recommended to be accepted (see 249.9) and related new rule (see 249.80). EI-MD2 effectively replaces EI-MD14 therefore EI-MD14 may be deleted. The request to include reference in EI-R15 to the new rule for 'electricity cabinets and kiosks' is not accepted. Proposed rule EI-R15 is about replacing an <u>existing</u> infrastructure cabinet, electricity cabinet and kiosk, or infrastructure building; whereas <u>new</u> 'electricity cabinets and kiosks' are to be dealt with under a new separate rule.	Yes

⁷⁷ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁷⁸ Oppose - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Matters of discretion are restricted to: - <u>EI-MD2 Amenity values, location and design</u> - <u>EI-MD3 Operational considerations</u> - <u>EI-MD14 – Extent of effects"</u>			The requested amendment to clause (2) is not accepted as this would be a duplication of rule EI-R11.	
325.35	Kainga Ora – Homes and Communities	EI-R15	Support EI-R15. Retain EI-R15 as notified.	8.13	Accept	No changes sought to the notified provision.	No
62.72 ⁷⁹	Chorus, Spark and Vodafone	EI-R16	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R16 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
195.38	Transpower NZ Ltd	EI-R16	Support EI-R16. Retain EI-R16 as notified.	8.14	Accept	No changes sought to the notified provision.	No
249.76 ⁸⁰	Mainpower NZ Ltd	EI-R16	Support EI-R16 but seek amendments to provide clarity around the relationship with EI-R24 which deals with new overhead lines and supporting poles and towers. The word 'addition' is defined but only references buildings. The definition should be amended so it applies to the context of this rule, or a different word should be chosen for this rule. It is also requested the activity status when compliance is not achieved be amended from restricted discretionary to controlled. So that the plan does not create outcomes where a consent for upgrading a network asset would be restricted discretionary activity while a brand new asset in the same location would be a permitted activity. Amend EI-R16: "Upgrading <u>and expansion</u> of above-ground <u>network utilities lines, ducts, cables and pipes</u> Activity status: PER <u>1. Upgrading or expansion of existing above ground network utilities, except where provided for under Rule EI-24</u> Where:	8.14	Accept <u>in part</u>	It is considered the relationship between EI-R16 and EI-R24 is already clear. EI-R16 deals with certain minor technical upgrades to <u>existing</u> above ground lines, ducts, cables and pipes. EI-R24 deals with <u>new</u> overhead lines and support structures. These are two different circumstances. Therefore, the requested new clause (1) is unnecessary. The amendments suggested to sub-clauses 1(a), (d), (e), (g) and (h) help with readability and are accepted. Requested amendments to the rule title are not accepted. These would significantly expand the intended scope of the rule. The intent of the proposed rule is to permit what may be relatively minor technical upgrades, and clauses (1) to (6) are intended to define what is meant by 'upgrading'. The amendment to the rule title suggested by Mainpower goes considerably beyond this as it would encompass all aspects of all network utilities. The scope of the requested amendment is far greater than the scope intended.	Yes

⁷⁹ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁸⁰ Oppose - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>2. upgrading is by:</p> <p>a. the addition of adding wires, cables, circuits or conductors;</p> <p>b. the re-conductoring of the line with higher capacity conductors; c. the re-sagging of conductors;</p> <p>d. the addition of installing longer or more efficient insulators;</p> <p>e. the addition of adding cross arms;</p> <p>f. the bundling of lines (in the absence of cross arms);</p> <p>g. the addition of installing earth wires (which may contain telecommunication lines, earthpeaks and lightning rods);</p> <p>h. their replacement <u>of any of the above</u>;</p> <p>...</p> <p>Activity status when compliance not achieved: RDS <u>CON</u></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> - <u>EI-MD3 Operational considerations</u> - <u>EI-MD14 – Extent of effects</u>" 			<p>Changing activity status when compliance is not achieved from restricted discretionary to controlled is not accepted. This creates an inconsistency with the rest of the EI provisions where activity status when compliance is not achieved is predominantly restricted discretionary.</p> <p>Deletion of EI-MD14 is not accepted. This matter of discretion allows for consideration of effects of proposed upgrades beyond what is specified, other than operational considerations.</p>	
295.78 ⁸¹ 82	Horticulture NZ	EI-R16	<p>Where an existing conductor is being upgraded the voltage should not be increased above that of its original design as a permitted activity. Such an increase can led to adverse effects on landowners over whose land the line traverses, leading to increased compliance with NZECP34:2001. Such landowners should be considered as part of such an upgrade.</p> <p>Amend EI-R16 by adding the following additional clause:</p> <p>"...</p> <p><u>7. there are no increased compliance requirements with NZECP34.2001 for landowners.</u>"</p> <p>Amendments are also needed to EI-MD14 to ensure that the matters of discretion when considering a restricted discretionary activity include the consideration of adverse effects on landowners resulting from increased compliance requirements.</p>	8.14	Reject	<p>The amendments requested are considered unnecessary. The requested consideration described could already occur under EI-MD14, which states (emphasis added):</p> <p>"The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects."</p> <p>'Any effects including cumulative effects' could include effects of potential increased compliance requirements on landowners, which may more appropriately be addressed through agreement between the line operator and landowner.</p>	No
325.36	Kainga Ora – Homes and Communities	EI-R16	Support EI-R16. Retain EI-R16 as notified.	8.14	Accept	No changes sought to the notified provision.	No
414.75 ⁸³	Federated Farmers of NZ Inc.	EI-R16	Oppose EI-R16 as this permitted activity rule allows for a doubling of the number of lines, and other substantial upgrades without landholder consultation. The plan fails to anticipate the effects that this will have on the transmission corridor. This is an	8.14	Reject	The intent of the proposed rule is to permit what may be relatively minor technical upgrades and avoid the need for consents for potentially routine matters. Clauses (1)	No

⁸¹ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

⁸² Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁸³ Oppose - MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>ever increasing envelope, unsuited to a permitted activity rule which requires clearly defined effects. There is no limitation on the number of times that a line upgrade can be carried out.</p> <p>Amend EI-R16 by deleting the permitted activity rule, and replacing with a restricted discretionary rule:</p> <p><u>"Activity status: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>EI-MD14 - Extent of effects"</u></p>			to (6) are intended to define what is meant by 'upgrading' and place limits on the extent of upgrading. Therefore, the requested change to activity status is not supported.	
62.73 ⁸⁴	Chorus, Spark and Vodafone	EI-R17	<p>There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards.</p> <p>Amend EI-R17 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.</p>	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
249.77	Mainpower NZ Ltd	EI-R17	Support EI-R17. Retain EI-R17 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.32 ⁸⁵	Chorus, Spark and Vodafone	EI-R18	<p>Oppose EI-R18 (1)(a) and (c). Clause (a) is considered uncertain and conflicts with requirements of other agencies to not reduce flood clearances. Clause (c) is considered an unreasonable limitation due to requirements of different infrastructure providers and may be difficult to monitor and enforce over time. Different infrastructure providers will have different requirements for what needs to be attached to a bridge which may not reasonably be able to be in shared services conduits (e.g. telecommunications, electricity, 3-waters).</p> <p>Amend EI-R18 by deleting (1)(a) and (1)(c).</p>	8.15	Accept <u>in part</u>	The intent of the rule is to control location and bulk of infrastructure attached to bridges and culverts. However, the point regarding not reducing flood clearances is noted and the rule amended to address this. It is therefore proposed that EI-R18 is amended to apply to publicly owned bridges (similar to the operative Christchurch District Plan) and provide more flexibility in placement.	Yes
249.78	Mainpower NZ Ltd	EI-R18	<p>Supports EI-R18 on the basis that can have as many clusters of earth peaks, conduits, ducts or pipes as required, as long as the clusters do not include more than two conduits, ducts or pipes.</p> <p>Retain EI-R18 as notified.</p>	8.15	Accept	No changes sought to the notified provision.	No

⁸⁴ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁸⁵ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

Table B 5: Recommended responses to submissions: EI General Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.24	Chorus, Spark and Vodafone	EI-R19	Support EI-R19. Retain EI-R19 as notified.	8.16	Accept	No changes sought to the notified provision.	No
249.79	Mainpower NZ Ltd	EI-R19	Support EI-R19 but submitter suggests electricity cabinets and kiosks to be separate into a more permissive rule. Amend EI-R19 by inserting the following new clause 1 (with subsequent renumbering of the remaining clauses): " <u>1. New infrastructure cabinet, except where provided for under Rule EI-XX.</u> "	8.16	Reject	The proposed amendment is unnecessary, as a new rule for "electricity cabinets and kiosks" is agreed (see 249.80) and the definition for "infrastructure cabinet" is to be amended to exclude "electricity cabinets and kiosks" (see 249.15).	No
249.81	Mainpower NZ Ltd	EI-R20	Seeks so that EI-R20 does not apply to equipment covered under the new rule sought by submitter's submission for electricity cabinets or kiosks or rule EI-R25. Amend EI-R20: "... <u>1. New infrastructure building (except where covered by Rule EI-XX and Rule EI-R25)</u> ..."	8.17	Reject	The proposed amendment to EI-R20 is unnecessary, as a new rule for "electricity cabinets and kiosks" is agreed (see 249.80) and the definition for "infrastructure building" is to be amended to exclude "electricity cabinets and kiosks" (see 249.14). Rule EI-R25 is to be amended to include a note that EI-R25 does not apply to equipment covered under the new rule for new electricity cabinets and kiosks (see 249.80) or rule EI-R20.	No
325.37	Kainga Ora – Homes and Communities	EI-R20	Support EI-R20. Retain EI-R20 as notified.	8.17	Accept	No changes sought to the notified provision.	No
249.82	Mainpower NZ Ltd	EI-R22	Support EI-R22. Retain EI-R22 as notified.	8.1	Accept	No changes sought to the notified provision.	No
195.40 ⁸⁶	Transpower NZ Ltd	EI-R23	Request EI-R23 be amended to provide not only for construction of new vehicle access tracks ancillary to infrastructure which are located in specified sensitive environments as a restricted discretionary activity, but also widening or extension of any such existing vehicle access tracks. Amend EI-R23: "EI-R23 Construction of new, <u>or widening or extension of existing, vehicle access tracks ancillary to infrastructure that which are located in specified sensitive environments.</u> "	8.18	Accept	The amendment is appropriate in the 'sensitive environments' specified in the rule.	Yes
249.83	Mainpower NZ Ltd	EI-R23	Support EI-R23. Retain EI-R23 as notified.	8.18	Accept	No changes sought to the notified provision.	No

⁸⁶ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95], KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

Table B 5: Recommended responses to submissions: EI General Rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
419.36 ⁸⁷	Department of Conservation	EI-R23	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R23 as notified.	8.18	Accept	No changes sought to the notified provision.	No

Table B 6: Recommended responses to submissions: Electricity Transmission and Distribution activity rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.41	Transpower NZ Ltd	EI-R24	Support EI-R24 as it provides for new overhead transmission lines in a manner that gives effect to the National Policy Statement on Electricity Transmission. Retain EI-R24 as notified.	8.19	Accept	No changes sought to the notified provision.	No
249.84	Mainpower NZ Ltd	EI-R24	Support EI-R24. Retain EI-R24 as notified.	8.19	Accept	No changes sought to the notified provision.	No
325.38	Kainga Ora – Homes and Communities	EI-R24	Support EI-R24. Retain EI-R24 as notified.	8.19	Accept	No changes sought to the notified provision.	No
414.76 ⁸⁸	Federated Farmers of NZ Inc.	EI-R24	<p>Oppose EI-R24 (3) permitted standard of a 18m pole height for urban areas, and a 25m height for rural areas. The standard needs to be the same across all zones. As with the other rules, there is also no requirement for landholder consultation, even when a consent is triggered.</p> <p>Amend either EI-R24 (3)(a) to 25m, or (3)(b) to 18m. Add additional matter of discretion EI-MD17.</p>	8.19	Reject	<p>The requested amendments to the maximum permitted height of supporting poles and towers are not accepted.</p> <p>An 18m height limit is proposed for the Residential Zones, and for two of the Special Purpose Zones that are predominantly residential in character. This is because Residential-type zones generally have more 'sensitive' levels of amenity thus a lower height for supporting poles and towers is proposed. This is the same for other types of structures in these areas.</p> <p>For all other zones – not just Rural Zones but also Commercial and Mixed Use Zones, Industrial Zones, and Open Space and Recreation Zones, and the adjoining road corridor – a 25m height limit is proposed as these zones arguably have less 'sensitive' levels of amenity thus a greater height for supporting poles and towers may be more</p>	No

⁸⁷ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁸⁸ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 6: Recommended responses to submissions: Electricity Transmission and Distribution activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						acceptable. This is the same for other types of structures in these areas. The submitter has not included within their submission a new matter of discretion EI-MD17.	
195.42	Transpower NZ Ltd	EI-R25	Support EI-R25 and considers that the Rule appropriately provides for new transformers and substations in a manner that gives effect to the National Policy Statement on Electricity Transmission. Retain EI-R25 as notified.	8.20	Accept	No changes sought to the notified provision.	No
249.85	Mainpower NZ Ltd	EI-R25	<p>Support EI-R25 however seek to amend the rule to provide more clarity. Also noted transformers are mentioned in a number of rules and the rules could be rationalised.</p> <p>Amend EI-R25:</p> <p><u>"1. The establishment of a new, or expansion of any existing substation, switching station or energy storage batteries (not enclosed within a building).</u></p> <p>Where:</p> <p><u>2.The activity does not exceed an area of:</u></p> <p><u>a. 300m² in the General Rural Zone</u></p> <p><u>b. 40m² in any other zone.</u></p> <p>3. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity transmission and electricity distribution;</p> <p>4. the activity shall comply with the following when located in the road corridor:</p> <p>a. maximum floor area (excluding plinths or foundations): 10m²;</p> <p>b. maximum height in relation to infrastructure: 3m;</p> <p>5. the activity shall comply with the following when located outside the road corridor:</p> <p>a. maximum height in relation to infrastructure: 5.5m;</p> <p>b. maximum floor area (excluding plinths or foundations): 30m²;</p> <p>c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</p> <p>..."</p>	8.20	Accept <u>in part</u>	<p>It is accepted there is scope to improve the readability of the rule, and amendments are recommended to achieve this.</p> <p>Increasing the area when located outside the road corridor from 30m² to 40m² is accepted.</p> <p>However, the other amendments requested are not accepted. There would be no constraint on height which is considered inappropriate. Retaining internal boundary setback and recession plane requirements when located outside the road corridor and in or adjoining Residential-type zones is considered appropriate to assist with adverse effect mitigation. An area of 300m² in the General Rural Zone as a permitted activity is considered excessive; if located near sensitive activity or sites of significance to Maori, for example, there may be a potential for significant adverse effects to occur.</p>	Yes

Table B 6: Recommended responses to submissions: Electricity Transmission and Distribution activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.39	Kainga Ora – Homes and Communities	EI-R25	Support EI-R25. Retain EI-R25 as notified.	8.20	Accept	No changes sought to the notified provision.	No
414.77 ⁸⁹	Federated Farmers of NZ Inc.	EI-R25	There is no requirement for landholder consultation, even when a consent is triggered. Add additional matter of discretion EI-MD17.	8.20	Reject	Consultation with landowner can be required through the consent process as required by s95 of the RMA. I disagree an additional matter of discretion is required. The submitter has not included within their submission a new matter of discretion EI-MD17.	No
419.37 ⁹⁰	Department of Conservation	EI-R25	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R25 as notified.	8.20	Accept	No changes sought to the notified provision.	No
249.80	Mainpower NZ Ltd	New rule	<p>Insert a new rule relating to electricity distribution cabinets and kiosks. An area of 13m² is sought to have flexibility to install equipment to the full extent of the easement.</p> <p><u>"Electricity cabinets and kiosks</u></p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>1. The electricity cabinet and kiosk does not exceed:</u></p> <p><u>a. 2m in height</u></p> <p><u>b. 13m² in area</u></p> <p><u>2. The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):</u></p> <p><u>a. The root protection area of a notable tree; and</u></p> <p><u>b. SNA's</u></p> <p><u>Activity status when compliance not achieved: CON</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>- EI-MD1 - Historic heritage and the natural environment</u></p> <p><u>- EI-MD2 - Amenity values, location and design</u></p> <p><u>- EI-MD3 - Operational consideration"</u></p>	8.3	Accept <u>in part</u>	<p>It is accepted there may be technical reasons a separate new rule (and related definition) is needed therefore the new rule is accepted (with any consequential renumbering).</p> <p>Disagree with the suggestion that the default activity status when compliance is not achieved should be controlled. I consider this creates an inconsistency with the rest of the EI provisions where activity status when compliance is not achieved is predominantly restricted discretionary. There may be situations where the height and bulk may not be desirable.</p>	Yes

⁸⁹ Oppose - MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁹⁰ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Table B 7: Recommended responses to submissions: Communication Facilities activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.33	Chorus, Spark and Vodafone	EI-R26	Oppose EI-R26 in part. Provisions are generally supported, however seek clarity around allowable headframe widths of poles in roads in (4)(a) which does not refer to adjoining roads. Amend EI-R26 (4)(a) by including reference to adjoining roads.	8.21	Accept	EI-R26 (4)(a) is to be amended by including reference to adjoining roads.	Yes
62.25	Chorus, Spark and Vodafone	EI-R27	Support EI-R27. Retain EI-R27 as notified.	8.1	Accept	No changes sought to the notified provision.	No
249.86	Mainpower NZ Ltd	EI-R27	Support EI-R27. Retain EI-R27 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.34	Chorus, Spark and Vodafone	EI-R28	Oppose EI-R28 in part. Provisions are generally supported, however seek clarity around allowable height of poles in roads in (3)(a) which does not refer to adjoining roads. Amend E1-R28 (3)(a) by including reference to adjoining roads.	8.21	Accept	E1-R28 (3)(a) has been amended to include reference to adjoining roads.	Yes
325.40	Kainga Ora – Homes and Communities	EI-R28	Support EI-R28. Retain EI-R28 as notified.	8.21	Accept	No changes sought to the notified provision.	No
157.1 ⁹¹	New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc) (Branch 68 of NZART) - Don McDonald, ZL3DMC New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc) (Branch 68 of NZART) - Owen Pimm, ZL3GM New Zealand Association of Radio Transmitters, Inc. (NZART); North Canterbury Amateur Radio Club (Inc)	EI-R29	Amend provisions relating to provision for amateur radio configurations as aspects of these are overly restrictive. 1. Change the Definition of 'amateur radio configurations', to "means antennas, aerials and associated poles <u>support structures</u> which are owned and used <u>operated</u> by licensed amateur radio operators." 2. Either delete the restriction of a maximum of one pole per site, or provide for one main supporting pole per site with a maximum height in relation to infrastructure of 20m. 3. Provide for secondary support structures with a maximum height of 14m, where any antenna mounted on these structures have a maximum length of 3m. 4. Provide for up to two dish antennas with a diameter of 2m or less may be mounted on primary or secondary support structures at a height of 14m or less. 5. Provide for a maximum of four additional poles for holding the ends of wire antennas and which may be placed on the boundary of a site, provided they are less than 10m high and where any part of a pole above 5m in height has a diameter of 50mm or less.	8.22	Accept <u>in part</u>	The basis for the rule and related definition as notified, was equivalent provisions in the operative Christchurch District Plan. The submission has helped scope the potential intricacies of such facilities. The requested amendment to the definition of 'amateur radio configurations' is accepted – see 157.1 in Definitions table. A variety of amendments to the rule are proposed to give effect to the other relief sought. These facilities that are relatively uncommon and can serve a useful support role as part of a wider response to civil emergency. The recommended rule amendments recognise that occasionally support structures for antennas other than poles may be used, such as a building. However,	Yes

⁹¹ Support – John Sedcole [FS 6], Alfred Harold Large [FS 7], Carleen Pimm [FS 8], RD Johnson [FS 9], Alastair Grant Daniel [FS 10], Colin Rowe [FS 11], Donald MacDonald [FS 12], Ian Galletly [FS 13], Mark Carshanton [FS 14], Baden Melhuish [FS 15], Rick Jackson [FS 16], Simon Hill [FS 17], Geoffrey Gooch [FS 18], John Van Dijk [FS 19], Geoffrey Gillman [FS 20], Geoffrey Clark [FS 21], Liz Buckland [FS 22], Tony Buckland [FS 23], Keith Heyworth [FS 26], Denise Hider [FS 35], Keith Birse [FS 123] – Officer recommendation – accept

Table B 7: Recommended responses to submissions: Communication Facilities activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
	(Branch 68 of NZART) - K Douglas Birt - on behalf of Owen Pimm, North Canterbury Amateur Radio Club Branch 68, NZART		6. Provide for large dish antennas less than 5m in diameter, pivoted at less than 4m above the ground, and which must comply with setback and recession plane standards. 7. Retain restricted discretionary activity status for activities that do not comply with the rules, with discretion restricted to the degradation of perspective of the immediate neighbours. 8. Exempt poles from height in relation to boundary requirements but still subject to boundary setbacks.			the use of towers as a support structure for antennas is not supported as these will likely have greater diameter than the diameter of a pole the submitter has mentioned, and this is reflected in the wording of the relevant rule. Consideration of potential effects on neighbours can occur through an assessment under EI-MD2.	
367.16	Waimakariri District Council	EI-R29	Amend EI-R29 (2) and (4)(d) by deleting these provisions as they are overly restrictive for amateur radio operators requiring more than one pole or dish antenna per site. This allows for people who use an array of aerials for radio telescope setups. This will enable a setup to operate more effectively at lower heights. Delete from Rule EI-R29: "... 2. There shall be a maximum of one pole per site; ... 4 d. a maximum of one dish antenna per site." Insert in Rule EI-R29: "... 4(b) be pivoted less than 4m above the ground <u>and</u> ; 4(c) in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and boundary setbacks for the zone or adjoining zone; <u>and</u> ."	8.22	Accept in part	The rule has been more substantially amended in relation to submission point 157.1 and the amendments proposed would give effect to submission point 367.16.	Yes
62.26	Chorus, Spark and Vodafone	EI-R30	Support EI-R30. Retain EI-R30 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.27	Chorus, Spark and Vodafone	EI-R31	Support EI-R31. Retain EI-R31 as notified.	8.1	Accept	No changes sought to the notified provision.	No

Table B 8: Recommended responses to submissions: Fuel and Energy activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
419.38 ⁹² 419.39 ⁹³	Department of Conservation	EI-R32	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R32 as notified.	8.1	Accept	No changes sought to the notified provision.	No
419.40	Department of Conservation	EI-R34	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R34 as notified.	8.1	Accept	No changes sought to the notified provision.	No
249.87	Mainpower NZ Ltd	EI-R35	Oppose EI-R35 as it is a direct duplication of EI-R25. Delete EI-R35.	8.23	Accept <u>in part</u>	<p>EI-R35 is not a direct duplication of EI-R25.</p> <p>EI-R25 is for the facilities referred to in the rule that are ancillary to electricity transmission and distribution, and this was reflected in the wording of that rule. EI-R25 sits within a grouping of rules relating to electricity transmission and distribution.</p> <p>EI-R35 is for the facilities referred to in the rule that are ancillary to electricity generation, and this is also reflected in the wording of that rule. EI-R35 sits within a grouping of rules relating to fuel and energy.</p> <p>That said, on reflection, it is now recommended EI-R35 be deleted, and EI-R25 be relocated to the General Rules (with any consequential renumbering) and re-worded and elements of EI-R35 incorporated so it is not specific to one type of activity.</p>	Yes
419.41 ⁹⁴	Department of Conservation	EI-R35	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R35 as notified.	8.23	Accept	No changes sought to the notified provision.	No
62.74 ⁹⁵	Chorus, Spark and Vodafone	EI-R36	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R36 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes

⁹² Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁹³ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁹⁴ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁹⁵ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

Table B 8: Recommended responses to submissions: Fuel and Energy activity rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
249.88 ⁹⁶	Mainpower NZ Ltd	EI-R36	Support EI-R36 but seeks amendments to the matters of discretion. Amend matters of discretion for EI-R36: "Matters of discretion are restricted to: - EI-MD3- Operational considerations - EI-MD14—Extent of effects"	8.24	Reject	Deletion of EI-MD14 is not accepted. This matter of discretion allows for consideration of effects, including cumulative effects, which is appropriate for a new permanent land use.	No

Table B 9: Recommended responses to submissions: Renewable Energy activity rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
249.89	Mainpower NZ Ltd	EI-R39	Support EI-R39. Retain EI-R39 as notified.		Accept	No changes sought to the notified provision.	No
316.23	Canterbury Regional Council	EI-R39	The Canterbury Regional Policy Statement supports the enabling of the establishment of new renewable energy infrastructure. Retain EI-R39 as notified.	8.24	Accept	No changes sought to the notified provision.	No
419.42 ⁹⁷	Department of Conservation	EI-R39	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R39 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.28	Chorus, Spark and Vodafone	EI-R40	Support EI-R40. Retain EI-R40 as notified.	8.1	Accept	No changes sought to the notified provision.	No
62.75 ⁹⁸	Chorus, Spark and Vodafone	EI-R40	There are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. Operational considerations should always be a matter of discretion for telecommunications equipment not meeting permitted activity standards. Amend EI-R40 to include EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept	For the most part, it is considered the matters in EI-MD3 are not really applicable to the circumstances in EI-R40. The only part of the rule where it could apply might be EI-R40(2)(c). For that reason only, the submission point is accepted.	Yes
145.16	Daiken NZ Ltd	EI-R40	Support EI-R40 as it enables installation of solar cells within a site for the purpose of generating electricity to use on that site and for supply to up to 20 other sites and distribution of any surplus to the electricity distribution network which is an appropriate encouragement of the use of renewable energy sources. Retain EI-R40 as notified.	8.1	Accept	No changes sought to the notified provision.	No
249.90	Mainpower NZ Ltd	EI-R40	Support EI-R40. Retain EI-R40 as notified.	8.1	Accept	No changes sought to the notified provision.	No

⁹⁶ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁹⁷ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁹⁸ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

Table B 9: Recommended responses to submissions: Renewable Energy activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
316.24	Canterbury Regional Council	EI-R40	The Canterbury Regional Policy Statement supports the enabling of the establishment of new renewable energy infrastructure. Retain EI-R40 as notified.	8.1	Accept	No changes sought to the notified provision.	No
316.25	Canterbury Regional Council	EI-R41	The Canterbury Regional Policy Statement supports the enabling of the establishment of new renewable energy infrastructure. Retain EI-R41 as notified.	8.25	Accept	No changes sought to the notified provision.	No
367.50	Waimakariri District Council	EI-R41	EI-R41 amendment to clarify rule is for free standing wind turbines. Amend EI-R41 title to read: "New small scale <u>free standing</u> wind turbine(s) for small scale or community scale renewable electricity generation"	8.25	Accept	The amendment is recommended to be accepted to distinguish this rule from a new rule providing for small scale roof mounted wind turbines which will help give effect to the NPSREG.	Yes
419.47 ⁹⁹	Department of Conservation	EI-R41	Oppose in part EI-R41. Wind turbines should be excluded from Significant Natural Areas. Amend EI-R41 by adding the following additional sub-clause to clause (6): "... <u>c. SNAs;</u> ..."	8.25	Accept	Agree that as SNAs are sensitive environments and small scale free standing wind turbine should require consent in these locations.	Yes
145.17	Daiken NZ Ltd	EI-R42	Support EI-R42 but wish to expand the scope of the rule so that solar hot water systems are provided for in the same or similar circumstances as in rule EI-R40. Amend EI-R42 as follows (or to like effect): "... <u>1. the activity involves the installation, maintenance, upgrading or removal of a solar hot water heating system in the circumstances specified below;</u> <u>2. the hot water generated is either:</u> <u>a. solely for use on a site and ancillary to the principal use of the site; or</u> <u>b. for use on a site and ancillary to the principal use of the site, and also for supply to not more than 20 other sites;</u> <u>13. if located on the roof of a building in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with the following (as applicable):</u>	8.26	Accept <u>in part</u>	Agree that the scope of the rule should not be limited to Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration) as is currently drafted. Given this have included amendment to the rule that clarify that the rule to be applied more broadly than just to a limited set of zones.	Yes

⁹⁹ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Table B 9: Recommended responses to submissions: Renewable Energy activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			a. on new buildings, shall comply with the height in relation to boundary requirement for the zone or adjoining zone; or b. if located on an existing building in or adjoining a zone in (1) above that already breaches the applicable height in relation to boundary requirement, the solar hot water system may also breach it; or c. if located on an existing building in or adjoining a zone in (1) above that does not breach the applicable height in relation to boundary requirement, the solar hot water system shall also not breach it; and 24. new installations shall not involve alteration to a building with heritage values."				
316.26	Canterbury Regional Council	EI-R42	The Canterbury Regional Policy Statement supports the enabling of the establishment of new renewable energy infrastructure. Retain EI-R42 as notified.	8.26	Accept	No changes sought to the notified provision.	No
325.41	Kainga Ora – Homes and Communities	EI-R42	Support EI-R42. Retain EI-R42 as notified.	8.26	Accept	No changes sought to the notified provision.	No
419.43 ¹⁰⁰	Department of Conservation	EI-R43	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R43 as notified.	8.1	Accept	No changes sought to the notified provision.	No
419.44 ¹⁰¹	Department of Conservation	EI-R44	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R44 as notified.	8.1	Accept	No changes sought to the notified provision.	No
367.15 ¹⁰²	Waimakariri District Council	New rule	Amend the Energy and Infrastructure Chapter to provide for large scale solar farming as this may not specifically be covered. Insert new rule EI-R44 to provide for large scale solar electricity generation as a Restricted Discretionary Activity: "EI-R44 Large scale solar electricity generation Activity status: RDIS Where: 1. the activity involves the installation, maintenance, upgrading or removal of solar cell(s) other than for small scale or community scale renewable electricity generation provided for in EI-R40. Matters of discretion are restricted to:	8.27	Accept	The requested new rule is to be included (along with any consequential renumbering) as this will help give effect to the NPSREG.	Yes

¹⁰⁰ Support – Forest and Bird [FS 78] – Officer recommendation – accept

¹⁰¹ Support – Forest and Bird [FS 78] – Officer recommendation – accept

¹⁰² Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

Table B 9: Recommended responses to submissions: Renewable Energy activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			EI-MD1 - Historic heritage, cultural values and the natural environment EI-MD2 – Amenity values, location and design EI-MD3 – Operational considerations EI-MD4 Health and Safety EI-MD5 – Electricity generation"				
367.51	Waimakariri District Council	New rule	Insert new rule for roof mounted wind turbines in Energy and Infrastructure Chapter. "EI-Rxx: Small scale roof mounted wind turbines for small scale renewable electricity generation <u>Activity status: PER</u> <u>Where:</u> <u>1. the maximum permitted height in relation to boundary of each wind turbine (including the full extent of the blades) is 3m above the highest point of attachment to the roof of a building;</u> <u>and</u> <u>2. there shall be no more than one wind turbine per building."</u>	8.25	Accept in part	The requested new rule is to be included (along with any consequential renumbering), with the addition of an activity status where compliance is not achieved along with matters of discretion comparable to EI-R41 regarding small-scale free standing wind turbines, and exempt from height in relation to boundary requirements given these are relatively slim structures and of relatively low height. The new rule will help give effect to the NPSREG.	Yes

Table B 10: Recommended responses to submissions: Water, Wastewater, Stormwater activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
96.1 ¹⁰³	David Whitfield	EI-R45	Oppose the proposal of water, sewage and storm water provision to Golf Links Road. Provide water, sewage and storm water to Golf Links Road from the proposed subdivision at 52 Kippenberger Avenue.	8.28	Reject	This is not a matter for the district plan. This is an operational matter the submitter should pursue with the District Council engineers.	No
145.18	Daiken NZ Ltd	EI-R45	Amend EI-R45 so that it does not apply to Daiken New Zealand Limited's current site as it is not connected to a public water supply, wastewater or stormwater system and is fully self-contained in those regards (through consented management, treatment and disposal systems) and it would be inappropriate and unnecessary to require any new building at the site to connect to a public wastewater system or go through a consent path to not need to connect, particularly given that public systems are not available where the site is located.	8.28	Accept in part	Agree that it is unnecessary to require any new building at the site to connect to a public wastewater system or go through a consent path to not need to connect, where public systems are not available. It is noted that EI-R45(1)(b) includes the qualifier 'if available'. I consider the submitters concerns could be resolved by including the same qualifier within EI-R45(1)(a).	Yes

¹⁰³ Support – Rachel Hobson and Bernard Whimp [FS 90] – Officer recommendation – accept

Table B 10: Recommended responses to submissions: Water, Wastewater, Stormwater activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Amend EI-R45 as follows or to like effect: "... ii. a public wastewater system; <u>except that this rule shall not apply to the HIZ located between Upper and Lower Sefton Roads.</u> ... 2. any new building, other than an accessory building with a floor area of 10m ² or less: a. when located in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones (other than the Special Purpose Zone (Kāinga Nohoanga)), shall be connected to reticulated stormwater infrastructure <u>except that this rule shall not apply to the HIZ located between Upper and Lower Sefton Roads;</u> and..."				
303.13	Fire and Emergency NZ	EI-R45	Supports EI-R45 as any new building, excluding accessory buildings must be connected to a water supply, a wastewater system or stormwater infrastructure. Public drinking Water Supply defined by the Water Act 2021, is to provide the drinking water to the public via a reticulated system which exclude private water supplies, or a domestic self-supply. It is noted that the Council reticulated networks need to have appropriate firefighting water supply in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice NZS PAS 4509:2008. The submitter supports that resource consent is required as a discretionary activity if a connection to a public drinking supply cannot be achieved. Retain EI-R45 as notified.	8.28	Accept	No changes sought to the notified provision.	No
316.27	Canterbury Regional Council	EI-R45	EI-R45 gives effect to the Canterbury Regional Policy Statement by encouraging connection to reticulated systems where they are available and is consistent with the definition of 'available reticulated system' within the Land and Water Regional Plan. Retain EI-R45 as notified.	8.28	Accept	No changes sought to the notified provision.	No
325.42	Kainga Ora – Homes and Communities	EI-R45	Support EI-R45. Retain EI-R45 as notified.	8.28	Accept	No changes sought to the notified provision.	No
367.24	Waimakariri District Council	EI-R45	Delete maximum distance requirement from EI-R45(1)(b)(iii)(b) so that rural subdivision is not limited to 1km for connection, as some large rural subdivisions are more than 1km from reticulation, and connection to reticulated services would benefit future owners. Operative District Plan limits this to 250m for up to four dwellings and is not dependent upon the size of the subdivision. Amend EI-R45(1)(b)(iii)(b): "...	8.28	Accept	The requested deletion is accepted as this will remove an unforeseen constraint on extension of reticulated services.	Yes

Table B 10: Recommended responses to submissions: Water, Wastewater, Stormwater activity rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			the water reticulation network already exists adjacent to the site boundary, or if the amount of new pipework to be installed to provide a connection to the site boundary by extending the supply from the existing network is less than or equal to 250m of new pipework per new building (up to a maximum of 1km);..."				
303.14	Fire and Emergency NZ	EI-R46	Support EI-R46 and the submitter noted that Engineering Code of Practice indicate that the water supply reticulation must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, particularly for firefighting flows, residual fire pressure and the spacing of hydrants, together with any additional requirements, including storage where applicable. Retain EI-R46 as notified.	8.1	Accept	No changes sought to the notified provision.	No
325.43	Kainga Ora – Homes and Communities	EI-R46	Support EI-R46. Retain EI-R46 as notified.	8.1	Accept	No changes sought to the notified provision.	No
419.45 ¹⁰⁴	Department of Conservation	EI-R46	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-R46 as notified.	8.1	Accept	No changes sought to the notified provision.	No
325.44	Kainga Ora – Homes and Communities	EI-R47	Amend EI-R47 to delete internal boundary reference, and to amend the reference and title. Further amendments are sought to the reference and title of the standard with the removal of 'internal boundary' and remain as 'setback'. Amend EI-R47: "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."	8.29	Reject	The requested amendment would provide less certainty than the current proposed rule as road boundary and internal boundary are defined terms.	No
249.91	Mainpower NZ Ltd	EI-R48	Support EI-R48 but seek clarification as to whether the rule applies to network utility infrastructure which meet the definition of a 'building'. Amend EI-R48: "1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and infrastructure buildings that are not habitable buildings) via the District Council's reticulated water supply (where available) in accordance with the SNZ PAS	8.30	Accept	The proposed definition for 'infrastructure building' includes reference to this not being a habitable building.	Yes

¹⁰⁴ Support – Forest and Bird [FS 78] – Officer recommendation – accept

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; or ..."				
303.15	Fire and Emergency NZ	EI-R48	Support EI-R48 as it references to the Code of Practice which ensures that adequate firefighting water supply would be provided for buildings otherwise it provides various solutions for the developments without the Council's reticulated network. Submitter supports the activity being a Restricted Discretionary Activity and its matter of discretion when not complying with EI-R48. Retain EI-R48 as notified.	8.30	Accept	The proposed definition for 'infrastructure building' includes reference to this not being a habitable building.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
295.79	Horticulture NZ	EI-R49	Reliable water supplies are essential for horticulture. Retain EI-R49 as notified.	8.30	Accept	No changes sought to the notified provision.	No
414.78	Federated Farmers of NZ Inc.	EI-R49	Support the permitted activity standard but the matters in the permitted rule may not be met and the rule does not have a higher activity standard associated. A catch-all standard of controlled activity is sought if a catch-all is needed. Furthermore, clarity of definition is required between 'upgrade', 'extension' and 'new'. If required, amend to have catch-all standard of controlled activity. Clarity is required between 'upgrade', 'extension' and 'new'.	8.30	Reject	An activity status for when compliance with the rule is not achieved, is unnecessary. Based on the way the proposed rule is currently worded, non-compliance may most likely involve extension or expansion of an existing network or development of a new network, in which case the activity would come under EI-R50. 'Extension or expansion' of an existing network might involve, for example, installation of a new tank/s in addition to any existing tanks or adding several hundred extra metres or extra kilometres of irrigation channel. 'Extension or expansion' of an existing network might involve, for example, the establishment of a large storage dam on an existing network. This not fanciful as this has previously been proposed in this district.	No
414.79	Federated Farmers of NZ Inc.	EI-R50	Request restricted discretionary status, perhaps with a discretionary catch-all. The Canterbury Land and Water Regional Plan contains any similar rules on this matter, and the matters of	8.32	Reject	A discretionary activity status for new, or expansion or extension of an existing, community scale irrigation/stockwater	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			discretion need to be limited to the land use matters within the scope of the District Council under s31 of the Resource Management Act 1991. Amend activity status in EI-R50 to RDIS.			network is appropriate, given the nature and scale of the projects that could be contested under this rule. I consider it is appropriate that a broad range of effects are able to be considered.	

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.43 ¹⁰⁵	Transpower NZ Ltd	EI-R51	<p>Support EI-R51, including notification direction and non-complying activity status, but seek amendments to better give effect to National Policy Statement on Electricity Transmission Policies 10 and 11 and Policy 16.3.4 of the Canterbury Regional Policy Statement, to be more consistent with Hurunui District, Selwyn District and Christchurch City, and improve readability of the rule.</p> <p>Amend EI-R51:</p> <p><u>"Activity status: PER</u> <u>Where:</u> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <u>a. for a network utility; or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities including irrigation that is 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 or produce packing facilities;</u> <u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the building or structure;</u> <u>3. A building or structure provided for by (2)(a) to (d) must:</u></p>	8.33	Accept	The suggested amendments are supported. It is considered that the amended drafting better gives effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS and improves consistency with the district plans of neighbouring councils. However, it is proposed reference to 'intensive farming activities' be amended as this is an undefined term and replaced with 'intensive indoor primary production' which is a National Planning Standards definition.	Yes

¹⁰⁵ Oppose – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – reject

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>a. <u>not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u></p> <p>b. <u>not permanently obstruct existing vehicle access to a National Grid support structure;</u></p> <p>c. <u>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 6 metres from the outer visible edge of a foundation of a National Grid support structure."</u></p>				
295.80	Horticulture NZ	EI-R51	<p>Unclear what intensive farming activities are. Oppose inclusion of mobile irrigation equipment and reticulation and storage of water within 12m of a structure as they do not always impede access.</p> <p>Either define 'intensive farming activities' or delete from EI-R51. Delete clause (1)(f) from EI-R51.</p>	8.33	Accept in part	<p>It is proposed reference to 'intensive farming activities' be amended as this is an undefined term and replaced with 'intensive indoor primary production' which is a National Planning Standards definition – see also 195.43 above. Therefore, that part of the requested relief is accepted.</p> <p>However, there is no reason to exclude mobile irrigation equipment from the rule. Based on amendments to the rule proposed by Transpower and which are proposed to be accepted (see 195.43 above), non-habitable structures used for irrigation that comply with NZECP34: 2001 are a permitted activity within the 12m setback from a National Grid support structure, provided they do not permanently obstruct existing vehicle access to a National Grid support structure which would not occur if the irrigation equipment is mobile.</p>	Yes
325.45	Kainga Ora – Homes and Communities	EI-R51	<p>Amend EI-R51. Often fences are closer than 6m from the nearest National Grid support structure, and a fence 6m beyond a National Grid support structure could take up a significant part of a landowner's property. Building closer than 6m triggering a noncomplying activity seems unreasonable.</p> <p>Amend the max floor of a new non-habitable building as this will be difficult to monitor and manage.</p>	8.33	Accept in part	<p>When they become operative the rules would only apply to new activities not to existing activities. Existing activities will not have to retrospectively comply. New activities will have the opportunity to achieve compliance during the design stage in relation to any existing adjacent National Grid support structures.</p> <p>The proposed rule is intended to protect the safe and sustainable management of critical infrastructure from potential reverse sensitivity effects of other potentially incompatible activities.</p>	Yes

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						This also benefits the health, safety and wellbeing of adjoining residents. Based on amendments to the rule proposed by Transpower and which are proposed to be accepted (see 195.43 above), a maximum floor area for a new non-habitable building will no longer apply. Therefore, that part of the requested relief is accepted.	
414.80 ¹⁰⁶	Federated Farmers of NZ Inc.	EI-R51 (permitted activity part)	<p>Rules for National Grid must be consistent with NZECP34 and the National Policy Statement for Electricity Transmission, and not undermine landowners' rights awarded by their legal easement agreements and other legislation. The National Grid corridor is located over private land, mostly farms. Transpower should have easement agreements for all their assets to have a direct relationship with the landowner and rights and obligation protected. Furthermore, Transpower already have protection via the Code of Practice for Electrical Safety Distances, and a NPS, which creates a distinctly uneven advantage over landowners.</p> <p>Submitter supports the permitted status in (1)(e) as uninhabited farm and hort structures and buildings, do not create a reverse sensitivity effect on electricity transmission.</p> <p>Safe distances for these buildings and structures from poles and towers must be consistent with Section 2.4 of the Code, and fences with Section 2.3 of the Code of Practice for Electrical Safety Distances. The proposed 12m setback distance is inconsistent with the definition of 'National Grid Yard', which provides different setback distances depending on the voltage and structure type. Submitter also opposes (1)(b) because the setback of 6m from a National Grid support structure unnecessarily exceeds the Code of Practice for Electrical Safety Distances requirement of 5m.</p> <p>Amend the permitted activity part of EI-R51: 1. 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 National Grid support structure: a. network utilities (other than for the reticulation and</p>	8.33	Accept in part	<p>The proposed rule is intended to protect the safe and sustainable management of critical infrastructure from potential reverse sensitivity effects of other potentially incompatible activities. This also benefits the health, safety and wellbeing of adjoining residents.</p> <p>Based on amendments to the rule proposed by Transpower and which are proposed to be accepted (see 195.43 above), a maximum height and floor area for a new non-habitable building will no longer apply. Therefore, that part of the requested relief is accepted.</p> <p>However, there is no reason to exclude mobile irrigation equipment or reticulation and storage of water for irrigation from the rule. Based on amendments to the rule proposed by Transpower outlined above, non-habitable structures used for irrigation that comply with NZECP34: 2001 are a permitted activity within the 12m setback from a National Grid support structure, provided they do not permanently obstruct existing vehicle access to a National Grid support structure which would not occur if the irrigation equipment is mobile.</p>	Yes

¹⁰⁶ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m5m from the nearest National Grid support structure;</p> <p>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:</p> <p>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;</p> <p>ii. is a maximum of 2.5m in height above ground level;</p> <p>iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes;</p> <p>iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane;</p> <p>d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;</p> <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 alterations 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>				
414.81 ¹⁰⁷	Federated Farmers of NZ Inc.	EI-R51 (non-complying part)	Oppose in part as non-complying status is onerous for most activities that do not meet the permitted standards – restricted discretionary status is more appropriate with matters limited to EI-MD12. Submitter accepts non-complying status for sensitive	8.33	Accept in part	It is proposed reference to 'intensive farming activities' be amended as this is an undefined term and replaced with 'intensive indoor primary production' which is a National	Yes

¹⁰⁷ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>activities, and milking sheds. Intensive farming and wintering barns needs defining, to ensure that there is no undue restriction of normal farming activities by this rule. Access routes are a matter for the landowner, and Transpower needs to negotiate terms of access with the landowner. The District Plan must not undermine basic property rights such as access over private land. Section 2.1.1 of NZECP34 states one of its purposes is to ensure that the support structures can be accessed for inspection and maintenance. There is no need for the District Plan to regulate this matter further.</p> <p>Amend EI-R51: "1. activities and development within a National Grid Yard involve the following: a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure; ... d. dairy/milking sheds or buildings for intensive farming or wintering barns; and ..."</p>			<p>Planning Standards definition – see also 195.43 above. Therefore, that part of the requested relief is accepted.</p> <p>However, the relief sought regarding activities that permanently physically impedes vehicle access to National Grid support structures is not accepted. The proposed rule is intended to protect the safe and sustainable management of critical infrastructure from potential adverse effects of other potentially incompatible activities.</p>	
195.44	Transpower NZ Ltd	EI-R52	<p>Support EI-R52 as it gives effect to Policy 10 of the National Policy Statement on Electricity Transmission (NPSET) and is consistent with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001), but seeks amendments to better align with NZECP34:2004:</p> <ul style="list-style-type: none"> - reference to 'the disturbance of land for the installation of fence posts' is included in the Rule because the definition of 'earthworks' excludes fence posts whereas NZECP34:2001 regulates such land disturbance; - the exception for quarries and landfills is deleted on the basis that this Rule can adequately manage earthworks associated with these activities (particularly through clauses (2) to (4) of the Rule; - an exception for vertical holes is included to mirror a similar approach in NZECP34:2001; and - the 'default' provision is amended to non-complying on the basis that such activities would be prohibited by NZECP34:2001 and are likely to compromise the National Grid in a manner that should be avoided (with reference to Policy 10 of the NPSET). <p>As a consequence of these amendments, it is also suggested that Rule EI-R53 Any quarry or landfill on the same site as a National Grid support structure can be deleted.</p> <p>Amend EI-R52:</p>	8.52	Accept in part	<p>Transpower plans, builds, maintains, owns and operates the National Grid.</p> <p>The amendments suggested by Transpower are supported. I consider the requested amendments better give effect to the NPSET, are consistent with NZECP 34:2001.</p>	Yes

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>"Earthworks (other than quarry or landfill) and the disturbance of land for the installation of fence posts within a National Grid Yard</p> <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. around National Grid support towers; <u>earthworks and the disturbance of land for the installation of fence posts</u> <ol style="list-style-type: none"> a. depth shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure; b. depth shall be no deeper than 3m: <ol style="list-style-type: none"> i. between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or ii. between 6m and 10m from the foundation of a 66kV National Grid support structure; 2. <u>earthworks and the disturbance of land for the installation of fence posts shall not compromise the stability of a National Grid support structure;</u> 3. <u>earthworks and the disturbance of land for the installation of fence posts shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</u> 4. <u>earthworks and the disturbance of land for the installation of fence posts shall not result in existing vehicular access to a National Grid support structure being permanently obstructed.</u> <p>Activity status when compliance with EI-R52 (1) not achieved: <u>RDISNC</u></p> <p>Matters of discretion are restricted to: EI-MD12 – National Grid</p> <p>Activity status when compliance with EI-R52 (2) to (5) not achieved: <u>NC</u></p> <p><u>Notification</u> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> <p>Activity status: <u>RDIS</u> Where:</p>				

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>1. earthworks are more than 300mm deep and less than 3m deep: a. between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or b. between 6m and 10m from the foundation of a 66kV National Grid support structure;</p> <p>2. earthworks shall not compromise the stability of a National Grid support structure;</p> <p>3. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</p> <p>4. earthworks and the disturbance of land for the installation of fence posts shall not result in existing vehicular access to a National Grid support structure being permanently obstructed.</p> <p><u>Matters of discretion are restricted to:</u> EI-MD12 - National Grid</p> <p><u>Activity status when compliance not achieved: NC</u></p> <p><u>Notification</u> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> <p><u>Exemptions</u> This rule does not apply to: - earthworks undertaken by a network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); ..."</p> <p>As a consequence, delete Rule EI-R53 Any quarry or landfill on the same site as a National Grid support structure.</p>				
295.81	Horticulture NZ	EI-R52	Support EI-R52 exemption list. Retain EI-R52 as notified.	8.34	Accept	No changes sought to the notified provision.	No
325.46	Kainga Ora – Homes and Communities	EI-R52	Support EI-R52. Retain EI-R52 as notified.	8.34	Accept	No changes sought to the notified provision.	No
414.82	Federated Farmers of NZ Inc.	EI-R52	Rules for National Grid must be consistent with NZECP34 and the National Policy Statement for Electricity Transmission, and not undermine landowners' rights awarded by their legal easement agreements and other legislation. The National Grid corridor is located over private land, mostly farms. Transpower should have easement agreements for all their assets to have a direct relationship with the landowner and rights and obligation protected. Furthermore, Transpower already have protection via	8.34	Reject	The amendments suggested by Federated Farmers are not consistent with NZECP 34:2001.	No

Table B 12: Recommended responses to submissions: Managing Effects of Activities and Development on National Grid							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>the Code of Practice for Electrical Safety Distances, and a NPS, which creates a distinctly uneven advantage over landowners.</p> <p>Submitter supports the permitted status in (1)(e) as uninhabited farm and hort structures and buildings, do not create a reverse sensitivity effect on electricity transmission.</p> <p>Safe distances for these buildings and structures from poles and towers must be consistent with Section 2.4 of the Code, and fences with Section 2.3 of the Code of Practice for Electrical Safety Distances. The proposed 12m setback distance is inconsistent with the definition of 'National Grid Yard', which provides different setback distances depending on the voltage and structure type. Submitter also opposes (1)(b) because the setback of 6m from a National Grid support structure unnecessarily exceeds the Code of Practice for Electrical Safety Distances requirement of 5m.</p> <p>Amend EI-R52:</p> <p>1. around National Grid support towers: a. depth shall be no deeper than 300mm within 6m<u>2.2m</u> of a foundation of a National Grid support structure, and no deeper than 750mm between 2.2m and 5m of a foundation of a National Support Structure; ... 3. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and 4. earthworks shall not result in vehicular access to a National Grid support structure being permanently obstructed. 5. vertical holes, provided they do not exceed 500 mm diameter and are more than 1.5m from the outer edge of the pole support structure or stay wire.</p>				
414.83	Federated Farmers of NZ Inc.	EI-R53	Oppose EI-R53 as the definition does not exclude farm quarries, and RD status for having an infrequently-used farm quarry on the same large property as a National Grid structure is onerous and unnecessary. Excavation is already managed by Section 2 of NZECP34 and mobile plant by Section 5, so all quarrying whether on a farm or not, is already regulated and has to comply with setbacks to ensure safety of people, plant and the integrity of the National Grid. Delete EI-R53.	8.35	Accept	On the basis of amendments proposed by Transpower (see 195.44 above), EI-R53 is to be deleted.	Yes

Table B 13: Recommended responses to submissions: Managing Effects of Activities and Development on Major Electricity Distribution Lines							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
249.49	Mainpower NZ Ltd	EI-R54	<p>Strong preference for provisions related to managing reverse sensitivity effects under EI-R54, EI-R55, EI-R56 and proposed new rule (structures near major electricity distribution lines) should be located in the relevant zone chapters. Alternatively may accept appropriate hyperlinks within the relevant zone chapters linking plan users back to the Energy and Infrastructure Chapter.</p> <p>Relocate EI-R54, EI-R55 and EI-R56 into the relevant zone chapters. The relevant zone chapters are:</p> <ul style="list-style-type: none"> - General Residential Zone - Large Lot Residential Zone - General Rural Zone - Rural Lifestyle Zone - General Industrial Zone - Open Space Zone - Settlement Zone - Sport and Active Recreation Zone - Natural Open Space Zone <p>Delete Rule EI-R54, EI-R55 and EI-R56 from the EI Chapter.</p> <p>Alternatively: Insert appropriate hyperlinks/rule into each of the applicable zone chapters to link back to the Rule EI-R54, EI-R55, EI-R56 and new proposed rule relating to structures near major electricity distribution lines.</p>	8.36	Accept in part	<p>The requested amendment to relocate rules EI-R54, EI-R55 and EI-R56 from the EI chapter to nine different zone chapters is rejected. This is not considered an efficient or appropriate solution.</p> <p>Mainpower's requested amendment to relocate the EI provisions to zone chapters is also inconsistent with another part of Mainpower's submission where Mainpower requested all provisions relating to infrastructure be consolidated into the EI chapter to create a 'one stop shop' as much as possible – see 249.48 in the Introduction table.</p> <p>It is considered more efficient and appropriate for the rules to remain in the EI chapter, and to provide cross references in the nine zone chapters drawing attention of the need for activities in the zones to comply with these EI rules. It is this part of Mainpower's requested relief that is accepted.</p> <p>The cross references in the zone chapters could be placed as an Advice Note or in the Introduction of these zone chapters and worded along the following lines:</p> <p>'Activities in the xx Zone must also comply with the provisions in the District-wide Energy and Infrastructure chapter, which includes provisions relating to setbacks for new activities and structures from major electricity distribution lines which are shown on the Planning Map.'</p>	Yes
249.92 ¹⁰⁸	Mainpower NZ Ltd	EI-R54	Support rule but the Code of Practice does not provide sufficient protection from earthworks activities adversely interfering with the support structures and associated foundations of Major	8.36	Accept in part	The setbacks requested by Mainpower are more nuanced than the notified setbacks and better align with NZECP 34:2001. In relation	Yes

¹⁰⁸ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – accept

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			<p>Electricity Distribution Lines. Seek to improve safety and avoid significant costs, time and effort associated with remedial works required or rectifying damage that has occurred and achieve greater consistency with Christchurch, Selwyn and Hurunui district plans.</p> <p>Amend EI-R54: "Earthworks adjacent to a major 66kV or 33kV electricity distribution line Activity Status: PER Where: <u>1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> <u>2. Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> 1. earthworks shall not exceed 3m in depth between 6m and 10m from the visible outer edge of a foundation of a 66kV or 33kV electricity distribution line pole or tower; c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and ...</p> <p>Exemptions This rule does not apply to: - earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track; - earthworks that are undertaken by a network utility operator <u>or their approved contractor on behalf of the network utility operator</u> (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); - earthworks for which a dispensation <u>prior written consent</u> has been granted by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; -vertical holes not exceeding 500mm in diameter provided they: -are more than 1.5m from the visible outer edge of a pole or stay wire; or -are a post hole for a farm fence or horticultural structure more than 6m from the visible outer edge of a tower.</p>			to replacing '66kV or 33kV' with 'major', I note that the 66kv and 33kv electricity lines are mapped on the planning maps and collectively referred to as 'major electricity distribution lines (66kV/33kV)' so I support the amendments to the rule to reflect the planning maps. However, it is proposed to retain reference to major electricity distribution line 'pole, pi-pole or tower' as these are defined terms but 'support structure' is not and is less certain.	

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			<p>Advisory Notes - 66kV/33kV major electricity distribution lines are shown on the planning maps. ...</p> <p>Activity status when compliance not achieved: RDIS <u>NC</u></p> <p>Matters of discretion are restricted to: EI-MD13 – Major electricity distribution lines</p> <p>Notification An application for a <u>non-complying</u> restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval."</p>				
325.47 ¹⁰⁹	Kainga Ora – Homes and Communities	EI-R54	The National Policy Statement for Electricity Transmission (2008) is only applicable to the National Grid and not major electricity distribution lines. If electricity companies wish to manage earthworks adjacent to electricity distribution lines, they should manage and spatially identify the properties subject to such provisions. Delete the entire rule and relevant standards and advice notes.	8.36	Reject	<p>Electricity distribution is included within the definition of 'regionally significant infrastructure' within the RPS. RPS Policy 5.3.9(1) includes direction to:</p> <p>'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'</p> <p>It is considered that the requirement within EI-P54 gives effect to the RPS.</p>	No
414.84 ¹¹⁰	Federated Farmers of NZ Inc.	EI-R54	Suggests deletion of EI-R54 as Electricity distribution lines do not have the same status as the National Grid and are not required to be protected from sensitive activities under the National Policy Statement on Electricity Transmission. Easement agreements are the appropriate mechanism. Electricity distribution lines remain subject to NZECP34 and there is no need for further regulation in the District Plan. Delete EI-R54.	8.36	Reject	See 325.47 above.	No

¹⁰⁹ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

¹¹⁰ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
62.35 ¹¹¹	Chorus, Spark and Vodafone	EI-R55	<p>Amend EI-R55 to include a clause similar to that in EI-R51(1)(i) for the National Grid whereby resource consent is not required where the safe distances in NZECP 34:2001 are not met provided written approval has been given by the lines distribution company under clause 2.4.1 of NZECP:34 2001.</p> <p>Amend EI-R55 such that resource consent is not required where the safe distances in NZECP 34:2001 are not met provided written approval has been given by the lines distribution company under clause 2.4.1 of NZECP:34 2001.</p>	3.6 Table B 13	Accept	Consistent with the exemption provided under EI-R54.	Yes
249.50	Mainpower NZ Ltd	EI-R55	<p>Strong preference for provisions related to managing reverse sensitivity effects under EI-R54, EI-R55, EI-R56 and proposed new rule (structures near major electricity distribution lines) should be located in the relevant zone chapters. Alternatively may accept appropriate hyperlinks within the relevant zone chapters linking plan users back to the Energy and Infrastructure Chapter.</p> <p>Relocate EI-R54, EI-R55 and EI-R56 into the relevant zone chapters. The relevant zone chapters are:</p> <ul style="list-style-type: none"> - General Residential Zone - Large Lot Residential Zone - General Rural Zone - Rural Lifestyle Zone - General Industrial Zone - Open Space Zone - Settlement Zone - Sport and Active Recreation Zone - Natural Open Space Zone <p>Delete Rule EI-R54, EI-R55 and EI-R56 from the EI Chapter.</p> <p>Alternatively: Insert appropriate hyperlinks/rule into each of the applicable zone chapters to link back to the Rule EI-R54, EI-R55, EI-R56 and new proposed rule relating to structures near major electricity distribution lines.</p>	8.37	Accept in part	It is considered more efficient and appropriate for the rules to remain in the EI chapter, and to provide cross references in the nine zone chapters drawing attention of the need for activities in the zones to comply with these EI rules. It is this part of Mainpower's requested relief that is accepted. See 249.49 above.	Yes
249.93	Mainpower NZ Ltd	EI-R55	<p>Support EI-R55 but seeks consistency with terminology used.</p> <p>Amend EI-R55:</p> <p>"Network utilities within 610m of the centre line of a major 66kV or 33kV electricity distribution line</p>	8.37	Accept	Support Mainpower's submission seeking consistency of terminology between EI-R54 and EI-R55.	Yes

¹¹¹ Oppose – MainPower NZ Ltd [FS 58] – Officer recommendation – reject

Table B 13: Recommended responses to submissions: Managing Effects of Activities and Development on Major Electricity Distribution Lines							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			... Advisory Note 66kV/33kV major electricity distribution lines are shown on the planning map."				
325.48	Kainga Ora – Homes and Communities	EI-R55	Support EI-R55. Retain EI-R55 as notified.	8.37	Accept	No changes sought to the notified provision.	No
249.51	Mainpower NZ Ltd	EI-R56	<p>Strong preference for provisions related to managing reverse sensitivity effects under EI-R54, EI-R55, EI-R56 and proposed new rule (structures near major electricity distribution lines) should be located in the relevant zone chapters. Alternatively may accept appropriate hyperlinks within the relevant zone chapters linking plan users back to the Energy and Infrastructure Chapter.</p> <p>Relocate EI-R54, EI-R55 and EI-R56 into the relevant zone chapters. The relevant zone chapters are:</p> <ul style="list-style-type: none"> - General Residential Zone - Large Lot Residential Zone - General Rural Zone - Rural Lifestyle Zone - General Industrial Zone - Open Space Zone - Settlement Zone - Sport and Active Recreation Zone - Natural Open Space Zone <p>Delete Rule EI-R54, EI-R55 and EI-R56 from the EI Chapter.</p> <p>Alternatively: Insert appropriate hyperlinks/rule into each of the applicable zone chapters to link back to the Rule EI-R54, EI-R55, EI-R56 and new proposed rule relating to structures near major electricity distribution lines.</p>	8.36	Accept in part	It is considered more efficient and appropriate for the rules to remain in the EI chapter, and to provide cross references in the nine zone chapters drawing attention of the need for activities in the zones to comply with these EI rules. It is this part of Mainpower's requested relief that is accepted. See 249.49 above.	Yes
249.94	Mainpower NZ Ltd	EI-R56	<p>Support EI-R56 but seeks further clarity. Amend EI-R56:</p> <p>"Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV major electricity distribution line</p> <p>...</p> <p>Where:</p> <p>1. activities and development adjacent to a major 66kV or 33kV electricity distribution line involve the following:</p> <p>a. new sensitive activity and new buildings (excluding accessory buildings) within 610m of the centreline of a 66kV or 33kV major electricity distribution line or within 106m of the foundation of a</p>	8.38	Accept in part	<p>Would result in provision similar to that for activities in a National Grid Yard.</p> <p>However, it seems that in the requested new clause (1)(b) there may be a typo. As currently worded, if an activity complies with the requirements of NZECP34:2001, it would be a non-complying activity. It is believed the intention is that it would be non-complying activity if it did not comply with NZECP34:2001.</p>	Yes

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>support structure visible outer edge of a foundation of an associated pole or tower; or b. <u>complies with the requirements of NZECP34:2001.</u> c. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower. ... Advisory Notes 66kV/33kV major <u>major</u> electricity distribution lines are shown on the planning map ..."</p>			It is also proposed to retain reference to major electricity distribution line 'pole, pi-pole or tower' as these are defined terms but 'support structure' is not and is less certain – see also 249.10 in the EI Definitions table.	
325.49	Kainga Ora – Homes and Communities	EI-R56	Support EI-R56. Retain EI-R56 as notified.	8.38	Accept	No changes sought to the notified provision.	No
414.85	Federated Farmers of NZ Inc.	EI-R56	Suggests deletion of EI-R56 as the electricity distribution lines do not have the same status as the National Grid and are not required to be protected from sensitive activities under the National Policy Statement on Electricity Transmission. Easement agreements are the appropriate mechanism. Electricity distribution lines remain subject to NZECP34 and there is no need for further regulation in the District Plan. Delete EI-R56.	8.38	Reject	See 325.47 above.	No
249.95	Mainpower NZ Ltd	New rule	<p>Seek a new rule in relevant zone chapters to address structures near major electricity distribution lines.</p> <p>Insert a new EI Rule EI-XX:</p> <p><u>"Structures near a 66kV or 33kV major electricity distribution line</u> <u>Activity status: NC</u> 1. <u>The establishment of a new, or expansion of an existing structure:</u> <u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or</u> 4. <u>Complies with the requirements of NZECP34:2001</u></p> <p><u>Notification</u> <u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p><u>Activity status when compliance not achieved: NC"</u></p>	8.39	Accept <u>in part</u>	It would appear that the only difference between the requested new rule, and the requested amendments to EI-R56, is that EI-R56 applies to new activities and development, whereas the new rule would also apply to expansion of existing as well as new development. On this basis it is considered reference to expansion of existing activities and development could be incorporated into EI-R56 without the need for another rule.	Yes

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
178.9	Heritage NZ Pouhere Taonga	EI-MD1	Supports EI-MD1. Retain EI-MD1 as notified.	9.1	Accept	No changes sought to the notified provision.	No
195.45	Transpower NZ Ltd	EI-MD1	Support EI-MD1 as the 'Matters' allow for a consideration of impacts on a range of special values alongside the particular characteristics of, and benefits of, infrastructure. Retain EI-MD1 as notified.	9.1	Accept	No changes sought to the notified provision.	No
249.96	Mainpower NZ Ltd	EI-MD1	Support EI-MD1. Retain EI-MD1 as notified.	9.1	Accept	No changes sought to the notified provision.	No
325.50	Kainga Ora – Homes and Communities	EI-MD1	Support EI-MD1. Retain EI-MD1 as notified.	9.1	Accept	No changes sought to the notified provision.	No
419.46 ¹¹²	Department of Conservation	EI-MD1	Support inclusion of these Energy Infrastructure rules and matter of discretion. Retain EI-MD1 as notified.	9.1	Accept	No changes sought to the notified provision.	No
195.46 ¹¹³	Transpower NZ Ltd	EI-MD2	<p>Support EI-MD2 but seek amendment to enable a consideration of the benefits of the infrastructure and to confirm that screening ought to only be provided where necessary.</p> <p>Amend Matters of Discretion EI-MD2:</p> <p>"1. The practicality and effectiveness of screening the infrastructure, <u>where necessary</u>.</p> <p>2. For infrastructure attached to other structures, the extent to which the infrastructure is within the visual envelope of an existing structure, and the extent to which the colour and design of the infrastructure corresponds to the existing structure.</p> <p>3. The extent of consideration of the number, size, location and design of any other existing infrastructure in the vicinity.</p> <p>4. The extent to which any adverse effects of the infrastructure have been avoided, remedied or mitigated by the route, site and construction method selection.</p> <p>5. The extent to which the location and size of the infrastructure impacts on the ability of people to access any existing facility or activity on the site.</p> <p>x. <u>The benefits of the infrastructure.</u>"</p>	9.2	Accept	The requested amendments are considered acceptable in the context of a matter of discretion.	Yes

¹¹² Support – Forest and Bird [FS 78] – Officer recommendation – accept

¹¹³ Support - Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95], KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
249.97 ¹¹⁴	Mainpower NZ Ltd	EI-MD2	Support EI-M2 however seek to have additional clause to align with EI-MD1 (2). Amend EI-MD2 to include a new clause: "The extent to which infrastructure has a functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods."	9.2	Accept	The requested amendment is considered acceptable in the context of a matter of discretion.	Yes
325.51	Kainga Ora – Homes and Communities	EI-MD2	Support EI-MD2. Retain EI-MD2 as notified.	9.2	Accept	No changes sought to the notified provision.	No
62.36 ¹¹⁵	Chorus, Spark and Vodafone	EI-MD3	Support EI-MD3, however, there are a number of Energy and Infrastructure rules where EI-MD3 does not apply. Operational considerations should always be a matter of discretion for telecommunications equipment. Amend: EI-R2, EI-R4, EI-R7, EI-R8, EI-R9, EI-R11, EI-R12, EI-R13, EI-R14, EI-R15, EIR16, EI-R17, EI-R36, EI-R40 by including EI-MD3 as a matter of discretion where permitted activity standards are not met.	8.2	Accept	EI-MD3 has been added to these rules as operational considerations may be relevant.	Yes
195.47	Transpower NZ Ltd	EI-MD3	Support EI-MD3. Retain EI-MD3 as notified.	9.3	Accept	No changes sought to the notified provision.	No
249.98 ¹¹⁶	Mainpower NZ Ltd	EI-MD3	Support EI-MD3. Amend EI-MD3: "... 2. The extent to which placing infrastructure underground is unreasonable possible in terms of technical constraints, additional costs or environmental effects. ..."	9.3	Reject	Whether a solution is possible does not necessarily mean it is the best or most appropriate outcome in terms of technical constraints, additional costs or environmental effects. Retaining 'unreasonable' allows such an evaluation to occur.	No
325.52	Kainga Ora – Homes and Communities	EI-MD3	Support EI-MD3. Retain EI-MD3 as notified.	9.3	Accept	No changes sought to the notified provision.	No
195.48 ¹¹⁷	Transpower NZ Ltd	EI-MD4	Support EI-MD4 but consider the 'Matters' could be expanded to address impacts on safety as well as human health. Amend EI-MD4:	9.4	Accept <u>in part</u>	Agree that the mater of discretion should be limited to 'existing' sensitivity activities. Other amendments are not supported.	Yes

¹¹⁴ Support – Waka Kotahi NZ Transport Agency [FS 110], Federated Farmers [FS 83] – Officer recommendation – accept

¹¹⁵ Support – KiwiRail Holdings Ltd [FS 99], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

¹¹⁶ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

¹¹⁷ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

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			"x. The extent to which the infrastructure will be <u>designed and located in relation to close proximity to any existing sensitive activity</u> , and the <u>The extent to which the infrastructure provides for the health and safety of people and communities of any effect on human health.</u> "				
325.53	Kainga Ora – Homes and Communities	EI-MD4	Amend EI-MD4: "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."	9.4	Reject	Disagree with the inclusion is required. It is considered this would be at odds with the other matters of discretion, none of which refer to the 'proposed' infrastructure	No
249.99 ¹¹⁸	Mainpower NZ Ltd	EI-MD5	Supports assessment matter but seek additional clause to acknowledge the locational constraints faced by infrastructure. Amend EI-MD5 to include a new clause: " <u>The extent to which infrastructure has a locational need, functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods.</u> "	9.5	Accept <u>Reject</u>	Whenever EI-MD5 applies so does EI-MD1, as such, there is no need to replicate in within EI-M5.	Yes <u>No</u>
325.54	Kainga Ora – Homes and Communities	EI-MD5	Support EI-MD5. Retain EI-MD5 as notified.	9.5	Accept	No changes sought to the notified provision.	No
195.49	Transpower NZ Ltd	EI-MD6	Oppose EI-MD6 and consider the 'Matters' would benefit from a substantial rewrite. Amend EI-MD6 to better reflect relevant considerations for the establishment of a transmission line.	9.6	Accept	Amendments are recommended to try to address Transpower's concerns.	Yes
249.100	Mainpower NZ Ltd	EI-MD6	Support EI-MD6. Retain EI-MD6 as notified.	9.6	Accept	No changes sought to the notified provision.	No
295.82 ^{119 120}	Horticulture NZ	EI-MD6	Unclear whether EI-MD6 clause 2 also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements. Amend EI-MD6(2): " 2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, <u>Including increased compliance requirements for landowners and occupiers. ...</u> "	9.6	Reject	The current wording still allows such an assessment to occur, therefore the requested amendment is unnecessary.	No

¹¹⁸ Support - Federated Farmers [FS 83] – Officer recommendation – accept

¹¹⁹ Oppose - MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

¹²⁰ Support - Federated Farmers [FS 83] – Officer recommendation – accept

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.55	Kainga Ora – Homes and Communities	EI-MD6	Support EI-MD6. Retain EI-MD6 as notified.	9.6	Accept	No changes sought to the notified provision.	No
414.86 ¹²¹	Federated Farmers of NZ Inc.	EI-MD6	<p>Suggests EI-MD6 must not apply to local electricity distribution lines as it do not have the same status as the National Grid and there is no obligation to protect them from sensitive activities under the National Policy Statement on Electricity Transmission. Easement agreements are the appropriate mechanism. Access is a matter to be negotiated between the landowner and the electricity operator, and the District Plan must not compromise this. The future upgrade or development as a matter of discretion is onerous and unfair. Only existing and current matters should be considered.</p> <p>Amend EI-MD6: "Electricity transmission and electricity distribution 1. Extent of effects on access to and the operation, maintenance, upgrade, development and structural integrity of the electricity transmission and electricity distribution network. ..."</p>	9.6	Reject	<p>The RPS contains definitions of 'regionally significant infrastructure'. This definition includes reference to the distribution network and electricity transmission.</p> <p>Policy 5.3.9 of the RPS provides direction of the importance of regionally significant infrastructure and states:</p> <ul style="list-style-type: none"> - 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; - 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. <p>Therefore, it is considered that the provisions for major electricity distribution lines are appropriate.</p>	No
325.56	Kainga Ora – Homes and Communities	EI-MD7	Support EI-MD7. Retain EI-MD7 as notified.	9.7	Accept	No changes sought to the notified provision.	No
414.87	Federated Farmers of NZ Inc.	EI-MD7	Oppose any regulation of landowners for the protection of the gas distribution network. This is because gas pipelines have 100% easement agreement coverage where they cross over private land, and district plan regulation is completely unnecessary. District Plan provisions must not undermine legal easement agreements. Delete EI-MD7.	9.7	Reject	<p>EI-MD7 is not a regulation, it is a matter of discretion, or in other words matters that may be considered in any applicable consent application.</p> <p>The RPS contains definitions of 'regionally significant infrastructure'. This definition includes reference to bulk fuel supply, storage and pipelines.</p>	No

¹²¹ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						<p>Policy 5.3.9 of the RPS provides direction of the importance of regionally significant infrastructure and states:</p> <ul style="list-style-type: none"> - 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; - 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. <p>Therefore, it is appropriate for the proposed Plan to contain provisions applicable to these.</p>	
303.16	Fire and Emergency NZ	EI-MD8	Support EI-MD8. Retain EI-MD8 as notified.	9.1	Accept	No changes sought to the notified provision.	No
325.57	Kainga Ora – Homes and Communities	EI-MD8	Support EI-MD8. Retain EI-MD8 as notified.	9.1	Accept	No changes sought to the notified provision.	No
195.50 ¹²²	Transpower NZ Ltd	EI-MD9	<p>Support in part as submitter seeks to ensure that EI-MD9 is triggered when the standards are not met and to clarify that overlay provisions are relevant when considering an application for resource consents made under EI-R23. Additionally, submitter suggests inclusion of a new clause that considers benefit of the infrastructures that benefit from, or relied on, the access track.</p> <p>Amend EI-MD9:</p> <p>“1. The ability to integrate with the landscape, follow natural contours, and mitigate adverse effects. 2. The extent of non-compliance with the relevant standards in the Earthworks Chapter <u>Earthworks standards EW-S1 to EW-S7 for the relevant zone or overlay, and the extent of any effects of non-compliance.</u></p>	9.8	Accept <u>in part</u>	The requested amendments are accepted. The suggested amendments improve accuracy of cross references, and to take into account the benefits of infrastructure	Yes

¹²² Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			3. Relevant assessment matters in the Earthworks Chapter <u>and</u> , where resource consent is required by Rule EI-R23 the assessment matters for the relevant zone or overlay. x. The benefits of the related infrastructure."				
249.101	Mainpower NZ Ltd	EI-MD9	Support EI-MD9. Retain EI-MD9 as notified.	9.8	Accept	No changes sought to the notified provision.	No
325.58	Kainga Ora – Homes and Communities	EI-MD9	Support EI-MD9. Retain EI-MD9 as notified.	9.8	Accept	No changes sought to the notified provision.	No
373.99	KiwiRail Holdings Ltd	EI-MD9	Support the ability to construct and extend vehicle access tracks, as a permitted activity in all zones in EI-MD9. Vehicle access to the rail corridor is required in order to undertake inspections and regular maintenance of the rail network. Retain EI-MD9 as notified.	9.8	Accept	No changes sought to the notified provision.	No
195.51 ¹²³	Transpower NZ Ltd	EI-MD10	Support EI-MD10 but seek to enable a consideration of the benefits of the infrastructure. Amend EI-MD10 by adding an additional clause: "The benefits of the infrastructure."	9.9	Accept	The requested amendment is considered appropriate in the context of a matter of discretion.	Yes
249.102	Mainpower NZ Ltd	EI-MD10	Support EI-MD10. Retain EI-MD10 as notified.	9.9	Accept	No changes sought to the notified provision.	No
325.59	Kainga Ora – Homes and Communities	EI-MD10	Support EI-MD10. Retain EI-MD10 as notified.	9.9	Accept	No changes sought to the notified provision.	No
303.17	Fire and Emergency NZ	EI-MD11	Support EI-MD11. Where an activity does not comply with EI-R48, MD11 ensures that firefighting water supply is taken into consideration. Retain EI-MD11 as notified.	9.1	Accept	No changes sought to the notified provision.	No
325.60	Kainga Ora – Homes and Communities	EI-MD11	Support EI-MD11. Retain EI-MD11 as notified.	9.1	Accept	No changes sought to the notified provision.	No
195.52	Transpower NZ Ltd	EI-MD12	Support EI-MD12. Retain EI-MD12 as notified.	9.10	Accept	No changes sought to the notified provision.	No
325.61	Kainga Ora – Homes and Communities	EI-MD12	Amend EI-MD12: "... 3. The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid. ..."	9.10	Reject	Amendment does not make sense.	No
414.88 ¹²⁴	Federated Farmers of NZ Inc.	EI-MD12	Oppose in part as the future upgrade or development as a matter of discretion, is onerous and unfair. Only existing and current matters should be considered. Access is a matter to be negotiated between the landowner and the electricity operator, and the District Plan must not compromise this.	9.10	Reject	The RPS contains definitions of 'regionally significant infrastructure'. This definition includes reference to electricity transmission.	No

¹²³ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

¹²⁴ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Amend EI-MD12: "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."			Policy 5.3.9 of the RPS provides direction of the importance of regionally significant infrastructure and states: <ul style="list-style-type: none"> - 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; - 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. <p>Therefore, provisions in the proposed Plan relating to electricity transmission are appropriate. It is not unreasonable to anticipate that infrastructure may be upgraded or developed in future.</p>	
249.103	Mainpower NZ Ltd	EI-MD13	Seeking that the activity status for rules linking to this matter of discretion be a noncomplying activity therefore this matter of discretion ought to be deleted. Delete EI-MD13.	9.11	Accept in part	Amendments sought are accepted, therefore it will become a non-complying activity. On this basis the matter of discretion will no longer be required, as it was previously for a restricted discretionary activity, and therefore EI-MD13 is proposed to be deleted as requested.	Yes
325.62	Kainga Ora – Homes and Communities	EI-MD13	Support EI-MD13. Retain EI-MD13 as notified.	9.11	Reject	It is recommended that EI-MD13 is deleted from the Proposed Plan for the reasons set out above [249.103].	No
414.89 ¹²⁵	Federated Farmers of NZ Inc.	EI-MD13	Oppose as EI-MD13 must not provide the same level of protection to local electricity distribution lines. Electricity distribution lines do not have the same status as the National Grid and are not required to be protected from sensitive activities under the National Policy Statement on Electricity Transmission. Access is a matter to be negotiated between the landowner and the electricity operator, and the District Plan	9.11	Accept	It is recommended that EI-MD13 is deleted from the Proposed Plan for the reasons set out above [249.103].	Yes

¹²⁵ Oppose – MainPower NZ Ltd [FS 58] – Officer recommendation – reject

Table B 14: Recommended responses to submissions: EI Matters of Discretion							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			must not compromise this. The future upgrade or development as a matter of discretion is onerous and unfair. Only existing and current matters should be considered. Delete EI-MD13.				
195.53 ¹²⁶	Transpower NZ Ltd	EI-MD14	Support EI-MD14 but seek to enable a consideration of the benefits of the infrastructure. Amend EI-MD14: "x. The extent of <u>non</u> -compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects; y. The benefits of the infrastructure."	9.12	Accept	The requested amendments are considered appropriate in the context of a matter of discretion.	Yes
249.104 ¹²⁷	Mainpower NZ Ltd	EI-MD14	Oppose as this catch all assessment matter as it provides no certainty. Delete EI-MD14.	9.12	Reject	There are several rules for matters that have the potential to be minor and straightforward, but which are still subject to standards. Non-compliance with those standards would still result in consents being required. The predominant activity status for activities not achieving compliance is restricted discretionary. This situation necessitated a matter of discretion applicable to a wide variety of situations. In this context EI-MD14 has merit.	No
295.83 128 129	Horticulture NZ	EI-MD14	Unclear whether this provision also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements. Amend EI-MD14: "The extent of compliance, <u>including increased compliance requirements for landowners and occupiers</u> , with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects."	9.12	Reject	The requested consideration regarding effects on landowners could already occur under EI-MD14, which states (emphasis added): "The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects ."	No
325.63	Kainga Ora – Homes and Communities	EI-MD14	Support EI-MD14. Retain EI-MD14 as notified.	9.12	Accept	No changes sought to the notified provision.	No
414.90 ¹³⁰	Federated Farmers of NZ Inc.	EI-MD14	These matters of discretion are triggered by any upgrades to electricity transmission lines, but the concept of landholder	9.12	Reject	The requested consideration regarding effects on landowners could already occur	No

¹²⁶ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – accept

¹²⁷ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

¹²⁸ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

¹²⁹ Support - Federated Farmers [FS 83] – Officer recommendation – accept

¹³⁰ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

Table B 14: Recommended responses to submissions: EI Matters of Discretion

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>consultation is ruled out as the matters of discretion and are limited to non-compliance with any given standard, not wider effects.</p> <p>Amend EI-MD14 by adding the additional matter of discretion:</p> <p>"<u>Any effects on the underlying or adjacent landholders</u>".</p>			<p>under EI-MD14, which states (emphasis added):</p> <p>"The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects."</p>	

Table B 15: Recommended responses to submissions: EI-related Planning Map

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
195.117	Transpower NZ Ltd	Planning Map	<p>Support identification of National Grid transmission lines on the planning map but wish the voltage of the lines to be added. Amend the planning map by adding the voltage of the National Grid transmission lines.</p>	10.2	Accept	<p>This has already been undertaken under a Clause 16 RMA minor amendment. (This is published on the District Council's District Plan Review web page.) The voltages were shown on the planning map in the operative District Plan but had not been carried over onto the planning map in the proposed District Plan by error.</p>	Yes
195.118	Transpower NZ Ltd	Planning Map	<p>Support inclusion of the National Grid Yard on the Planning Map but considers that the mapping may be inaccurate.</p> <p>Amend the Planning Map to accurately reflect the extent of the National Grid Yard; alternatively, amend the Planning Map legend to indicate that the extent of the National Grid Yard is set out in the definition of 'National Grid Yard'.</p>	10.2	Accept	<p>It is recommended the National Grid Yard as currently shown on the planning map be removed, as the National Grid Yard is detailed in Transpower's definition of this term – see also 195.9 in the EI Definitions table.</p>	Yes
195.119	Transpower NZ Ltd	Planning Map	<p>Amend the Planning Map to show the National Subdivision Corridor.</p>	10.2	Reject	<p>Transpower's submission to include its definition for 'National Grid Subdivision Corridor' in the proposed District Plan is recommended to be accepted – see 195.18 in the EI Definitions table. On this basis, it will not be necessary to map the National Grid Subdivision Corridor as this is detailed in Transpower's definition for this term, in the same way that the National Grid Yard is detailed in Transpower's definition for this term.</p>	No

Table B 15: Recommended responses to submissions: EI-related Planning Map							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Sections of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
249.111	Mainpower NZ Ltd	Planning Map	Seek that the Major Electricity Distribution Line setback corridor be deleted from the planning maps and to rely on the mapping of the actual Major Electricity Distribution Lines only as the mapping of the setback corridor may not be accurate. Submitter suggests stating the relevant setback distance clearly in the Plan rules and allow landowners to measure the setbacks accurately in respect of their own property. This approach is consistent with The Christchurch District Plan and Proposed Selwyn District Plan where just the lines are mapped.	10.3	Accept	It is recommended the Major Electricity Distribution Line setback corridor be deleted from the planning map, as the proposed setbacks are detailed in the relevant rules.	Yes
249.112	Mainpower NZ Ltd	Planning Map	Seek a more distinct colour be used to map the Major Electricity Distribution Lines as currently the lines are mapped with a pale grey colour which is not clear for plan users to identify easily. Amend the planning map layer illustrating the Major Electricity Distribution Lines to a more conspicuous colour.	10.3	Accept	The EPlan can be manipulated to turn layers on and off and zooming in or out in particular locations, which adequately allows plan users to identify the 'Major Electricity Distribution Lines'. In addition, when a property is searched using the EPlan search function the 'Major Electricity Distribution Line setback corridor' is clearly identified as a relevant layer where appropriate.	Yes
249.113	Mainpower NZ Ltd	Planning Map	Support mapping the Major Electricity Distribution Lines on the Planning Maps. Retain the Major Electricity Distribution Lines Planning Map layer.	10.3	Accept		No
408.8 ¹³¹	Bellgrove Rangiora Ltd	Planning Map	MainPower have confirmed the Major Electricity Distribution Line Overlay (66kV/33kV) and the Major Electricity Distribution Setback Corridor shown within the North East Rangiora Development Area (running along the eastern boundary of Part RS 267 (52 Kippenberger Avenue)) will be decommissioned and removed in its entirety. Delete the major electricity distribution corridor and distribution line shown through Bellgrove North (removing a requirement for assessment against EI-R54 and EIR56).	10.4	Accept	The section of 'major electricity distribution line' shown between Kippenberger Ave in the south and Coldstream Road in the north will be deleted from the planning map. Bellgrove and Mainpower have provided written confirmation of the removal of this section of line. Mainpower has also lodged a further submission in support of Bellgrove's submission. The setback corridor is also to be deleted from the map – see 249.111.	Yes

¹³¹ Support – MainPower NZ Ltd [FS 58] – Officer recommendation – accept

