

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan: Pūngao
me te hanganga hapori - Energy and
Infrastructure (EI)

PREPARED BY:

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DATE OF HEARING:

Stream 5
21 - 25 August 2023



WAIMAKARIRI
DISTRICT COUNCIL

Executive Summary

1. This report considers submissions received by the District Council in relation to the relevant definitions, Introduction, objectives, policies, rules, matters of discretion and planning map of the Proposed Plan as they apply to Energy and Infrastructure (EI). The report outlines recommendations in response to the matters raised in submissions. References to submissions includes further submissions, unless otherwise stated.
2. There were 28 submissions and 397 submission points, and 40 further submissions and 161 further submission points, on the EI chapter, EI-related definitions, and EI-related aspects of the planning map. The submissions received were diverse and sought a range of outcomes.
3. One key 'theme' that emerged from submissions was the relationship between the EI chapter, other District-wide provisions, and the zones, and which other parts of the plan apply to EI and which do not. Amendments have been recommended to the EI chapter to clarify the relationship between this chapter and the other chapters within the Proposed Plan.
4. The other provision that received a number of submissions was EI-P5 which manages the adverse effects of infrastructure and includes a policy cascade that balances the functional and operational needs of infrastructure with the requirement to protect the values of the sensitive environments of the district. Amendments have been recommended to EI-P5 to ensure that the cascade gives effect to the relevant higher order documents being the NZCPS, NPSET, NPSREG, and the RPS.
5. Otherwise, submissions sought a range of technical amendments to EI-related definitions; EI chapter Introduction, objectives, policies, rules, and matters of discretion; and EI-related aspects of the planning map.
6. This report addresses each of these matters on a provision-by-provision basis.
7. Appendix A of this report contains a marked-up version of proposed Plan provisions relating to Energy and Infrastructure with recommended amendments in response to submissions.
8. Specific recommendations on each submission / submission point, and reasons, are contained in Tables B 1 to B 15 in Appendix B. Where a further submission has been lodged in support of or in opposition to an original submission, the further submission is referenced by a footnote of 'support' or 'oppose' along with the name of the further submitter and the further submission number. A recommendation on an original submission implies a consequential recommendation on a related further submission.
9. The evaluation in Appendix B should be read in conjunction with Appendix A.
10. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend the Proposed Plan be amended as set out in Appendix A of this report.
11. For the reasons set out in the Section 32AA evaluation in Appendix C of this report, and contained in Tables B 1 to B 15 in Appendix B of this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed

objectives, and achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

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Interpretation

This report may utilise the following abbreviations for brevity as set out in **Table 1** below:

Table 1: Abbreviations Used

Abbreviation	Means
District Council	Waimakariri District Council (territorial authority, submitter and requiring authority)
EI	Energy and infrastructure
National Planning Standards	Ministry for the Environment National Planning Standards 2019
NESETA	National Environmental Standards for Electricity Transmission Activities 2009
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSREG	National Policy Statement on Renewable Electricity Generation 2011
NESTF	National Environmental Standard on Telecommunication Facilities 2016
NZCPS	NZ Coastal Policy Statement 2010
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
RMA	Resource Management Act 1991
RPS	Operative Canterbury Regional Policy Statement
s32	Section 32 of the RMA
s32AA	Section 32AA of the RMA
s42A	Section 42A of the RMA

In addition, references to submissions includes further submissions, unless otherwise stated.

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
CDHB	Canterbury District Health Board
CIAL	Christchurch International Airport Ltd
DOC	Department of Conservation
ECan,	Environment Canterbury / Canterbury Regional Council
Federated Farmers	Federated Farmers of New Zealand Inc
FENZ	Fire and Emergency New Zealand
Forest and Bird	Royal Forest and Bird Protection Society
Heritage NZ	Heritage New Zealand Pouhere Taonga
Hort NZ	Horticulture New Zealand
Kainga Ora	Kainga Ora – Homes and Communities
KiwiRail	KiwiRail Holdings Limited
Mainpower	MainPower New Zealand Ltd
Ngāi Tūāhuriri	Te Ngāi Tūāhuriri Rūnanga
NZDF	New Zealand Defence Force

Abbreviation	Means
Chorus, Spark and Vodafone	Chorus New Zealand, Spark New Zealand Trading Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
Waka Kotahi	Waka Kotahi NZ Transport Agency

1 Introduction

1.1 Purpose

12. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Energy and Infrastructure (EI) chapter, EI-related definitions, and EI-related planning map matters, and to recommend amendments to the Proposed Plan in response to those submissions. References to submissions includes further submissions, unless otherwise stated.
13. This report is prepared under section 42A of the RMA.
14. This report makes recommendations as to whether the submissions received on the above matters should be accepted, accepted in part, or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions or map.
15. The recommendations are informed by evaluation undertaken by the author.
16. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
17. This report is intended to be read in conjunction with Officers' Reports on 'Part 1: Introduction and general provisions' (the 'overarching' report) and 'Strategic directions'.

1.2 Author

18. My name is Andrew MacLennan. My qualifications and experience are set out in Appendix D of this report.
19. My role in preparing this report is that of an expert planner.
20. I was not involved in any aspect relating to the preparation of the Proposed Plan or the Section 32 reports. I have been contracted to evaluate the relief requested in submissions and to provide recommendations in the form of a Section 42A report for the EI Chapter.
21. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
22. The scope of my evidence relates to the EI chapter, EI-related definitions, and EI-related aspects of the planning map. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
23. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
24. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Key Issues in Contention

25. I consider the following to be the key issues raised in submissions:
26. the relationship between the EI chapter, other District-wide provisions, and the zones, and which other parts of the plan apply to EI and which do not.
27. Otherwise, the submissions generally concern a range of requested technical amendments to the chapter.

1.4 Procedural Matters

28. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on provisions relating to EI.
29. I have provided a memo to the Hearing Panel as part of Hearing Stream 4 explaining the recommended approach to integration between the EI chapter and the other chapters in the Proposed Plan. I confirm that the suggested amendments to the EI chapter in the memo are reflected in the recommendations in this report.
30. I am aware that submission points from CIAL related to the airport noise contour and bird strike issues are to be subject to a separate hearing. However, I have considered matters relevant to the CIAL submission that specifically relate to the airports function as an infrastructure provider within this report.

1.5 Variation 1: Housing Intensification

31. The EI chapter is subject to one amendment introduced by Variation 1: Housing Intensification, within the Introduction section as follows:

The provisions in this chapter have been justified where required by a s77J qualifying matter assessment contained in the relevant section 32 evaluation report under the RMA.
32. Submissions associated with this amendment are not addressed within this report but are highlighted in Appendix A to assist the reader.

2 Statutory Considerations

2.1 Resource Management Act 1991

33. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

34. section 74 Matters to be considered by territorial authority, and

35. section 75 Contents of district plans.

36. There are a number of higher order planning documents and other plans and strategies that provide direction and guidance for the preparation and content of the Proposed Plan. Relevant higher order documents include:

- National Policy Statement on Electricity Transmission 2008 (NPSET)
- National Environmental Standards for Electricity Transmission Activities 2009 (NESETA)
- NZ Coastal Policy Statement 2010 (NZCPS)
- National Policy Statement on Renewable Electricity Generation 2011 (NPSREG)
- National Environmental Standard on Telecommunication Facilities 2016 (NESTF)
- Operative Canterbury Regional Policy Statement (RPS)

37. Relevant higher order planning documents and other plans and strategies are discussed in detail within the Section 32 Evaluation Report for the EI chapter. This Section 32 Report sets out the background context that has influenced the notified EI provisions.

38. In relation to the RPS, the introduction to Chapter 5 – Land use and infrastructure states:

The issues and objectives within this chapter of the Canterbury Regional Policy Statement (CRPS) generally apply to all of the Canterbury region. However, many resource management issues associated with urban and rural-residential development tend to be concentrated in the Greater Christchurch area. For the Greater Christchurch area, the issues to be resolved, and the manner in which the objectives are to be implemented, are set out in Chapter 6 – Recovery and Rebuilding of Greater Christchurch.

Within this chapter, the issues, objectives and policies that relate to the Canterbury region inclusive of Greater Christchurch will be notated as 'Entire Region'; those provisions which are not relevant to Greater Christchurch will be notated as 'Wider Region'.

Accordingly, the achievement and implementation of the objectives, policies or methods in Chapter 6 – Recovery and Rebuilding of Greater Christchurch, take precedence within Greater Christchurch.

39. In addition, Chapter 6 – Recovery and rebuilding of Greater Christchurch states:

Chapter 6 provides a resource management framework for the recovery of Greater Christchurch, to enable and support earthquake recovery and rebuilding, including restoration and enhancement, for the area through to 2028. Recovery in Greater Christchurch is also supported by provisions in Chapter 5 – Land use and infrastructure that are notated "Entire Region". The provisions in the remainder of the CRPS also apply.

The purpose of Chapter 6 is to enable recovery by providing for development in a way that achieves the purpose of the Resource Management Act 1991.

40. Map A within the RPS sets out the geographic extent of Greater Christchurch which includes the southeastern corner of the Waimakariri District including Rangiora, Kaiapoi, Woodend and Pegasus.
41. Within this report a variety of relevant RPS provisions are referred to including within Chapters 5 and 6 both of which are relevant and apply within the Waimakariri District, albeit that the achievement and implementation of the objectives, policies or methods in Chapter 6 – Recovery and Rebuilding of Greater Christchurch, take precedence within Greater Christchurch.

2.2 Section 32AA

42. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

43. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to matters relating to Energy and Infrastructure is contained within Appendix C of this report.

2.3 Trade Competition

44. No consideration of trade competition has been given with respect to Energy and Infrastructure. Trade competition is not considered relevant to the Energy and Infrastructure provisions of the Proposed Plan.
45. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions

3.1 Overview

46. There were 28 submissions and 397 submission points, and 40 further submissions and 161 further submission points, on the EI chapter, EI-related definitions, and EI-related aspects of the planning map.

3.1.1 Report Structure

47. Submissions on matters relating to the EI chapter raised a number of issues which have been grouped into topics. An evaluation of the submissions follows a topic-by-topic approach which, with the exception of definitions and planning map matters, follows the order of topics within the EI chapter in the proposed Plan as notified, as follows:

- EI chapters relationship with other chapters in the PDP
- EI chapter introduction;
- EI objectives;
- EI policies;
- EI general rules;
- EI matters of discretion;
- EI-related planning map matters;
- EI-related definitions.

48. In Appendix A I have provided a marked-up version of provisions related to Energy and Infrastructure with recommended amendments in response to submissions.

49. The evaluation of submissions is contained within **Appendix B** of this report. This evaluation is undertaken in the above topic order in Tables B 1 to B 15 in **Appendix B**.

50. Where further submissions have been lodged in support of or in opposition to an original submission, the further submission is referenced by a footnote of 'support' or 'oppose' along with the name of the further submitter and the further submission number. The footnotes indicate whether the further submission has been accepted or rejected.

51. A recommendation on an original submission implies a consequential recommendation on a related further submission.

52. With regards to the Introduction, I have undertaken both an issue approach and submission-by-submission approach. The issue evaluation for the Introduction is contained in section 3.2 below. The submission-by-submission evaluation for the Introduction is contained within Table B 2 in **Appendix B**.

53. This report only addresses definitions that are specific to this topic.

54. I have undertaken the s32AA evaluation of amendments proposed as a result of consideration of submissions with respect to matters relating to EI in a **consolidated** manner, which is attached as **Appendix C**.

4 EI chapters relationship with other chapters in the PDP

4.1.1 *Matters raised by submitters*

55. One key 'theme' to emerge from submissions is that submitters considered the EI chapter introduction unclear on the relationship between the EI chapter, other District-wide provisions, and the zones, and which other parts of the plan apply to EI and which do not. Some infrastructure providers would prefer the EI chapter to be a 'one stop shop' and self-contained as described by Mandatory Directions 5 – 8 in Section 7 of the National Planning Standards.
56. Chorus, Spark and Vodafone [62.6] state that relationship between the EI Chapter, other District wide chapters and the zone chapters is unclear. In addition, they note that 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.
57. Similarly, Transpower [195.23] states the introductory statement provides no clarity in terms of whether rules in other chapters apply to infrastructure, or whether the rules in the EI Chapter are generally intended to provide a standalone suite of provisions. They note that as currently drafted, this directive text has the effect of applying all rules to infrastructure activities even when the activity is provided for in the EI Chapter. They seek that the Proposed Plan is amended to clarify where the energy and infrastructure provisions prevail and where other chapters are relevant.
58. KiwiRail Holdings [373.15] support separate Energy & Infrastructure and Transport Chapters but seek clarification regarding what rail activities are captured as infrastructure and those captured as transport activities.
59. Finally, Mainpower [249.1, 249.47, 249.48] seek that 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. They also seek that all relevant provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the other parts of the plan. They have also proposed some suggested amendments to the introduction to demonstrate how these links could be better expressed.

4.1.2 *Assessment*

60. I agree with the submitters that greater clarity is required within the Proposed Plan to determine which provisions of the Plan apply to energy and infrastructure activities and which do not. As drafted within the notified version of the Proposed Plan, the introduction to the EI chapter states that, as well as the provision in EI chapter, other District Plan chapters that contain provisions that may also be relevant to Energy and Infrastructure. Several other chapters within the Plan are then listed.
61. In addition to the text listing other chapter of the Proposed Plan being potentially relevant, the provisions of the EI chapter also contain rules managing EI in the following types of 'sensitive environments':
 - Outstanding natural features and landscapes and significant amenity landscapes (ONF, ONL and SAL);

- Outstanding, very high, and high natural character areas (ONC, VHNC and HNC);
 - Scheduled freshwater body setbacks;
 - Significant Natural Areas (SNAs);
 - Places with heritage values (HH);
 - Sites and areas of significance to Maori (SASM);
 - Places adjoining the coastal marine area; and
 - The root protection area of notable trees.
62. Given the provisions within the EI chapter already provide controls on the sensitive environments listed above, it is my view that, in the context of rules, there are only a selection of rules that need to apply to energy and infrastructure activities outside of the EI chapter, and these can be chapters or specific rules that can be listed within the EI chapter.
63. However, I consider it is still necessary for the objectives, policies, associated planning map layers, schedules, tables and appendices to be considered when assessing applications for infrastructure activities when they are located within an overlay (such as an ONL/F, SNA, NATC, CE) to ensure the protective direction within the higher order documents (NZCPS, RPS, Part 2 of the RMA) is achieved.
64. The application of the matters of discretion is still being considered. The matters of discretion within the EI chapter i.e., EI-MD1, are reasonable broad compared to the more detailed and prescriptive matters of discretion within the protective chapters. It is likely that the relevant matters of discretion within the protective chapters will be cross referenced within the EI chapter.
65. I have been working with the other s42A officers to ensure that this change to the structure of the Proposed Plan does not result in any unintended consequences either in the form of gaps in the rules or overlapping provisions. As a result, we have developed a new rule to be included within the EI chapter that will replace part of the EI chapter Introduction beneath the sub-heading "Other potentially relevant District Plan provisions". In my view this new rule will provide additional clarity as to which provisions apply to the energy and infrastructure activities as it will provide greater clarity as to when the provisions of the EI chapter apply and when they do not.
66. The s42a report writers are also mindful that plan users may only look at the provisions in the other 'protective' chapters of the Proposed Plan such as the CE, NFL, ECO, etc chapters and not be aware that the EI chapter includes an exemption for energy and infrastructure activities. Given this I am also recommending a consequential amendment, be made to the following chapters:
- HH - Historic Heritage,
 - TREE - Notable Trees,
 - SASM - Sites and Areas of Significance to Maori,
 - ECO - Ecosystems and Indigenous Biodiversity,

- NATC - Natural Character of Freshwater Bodies,
- NFL - Natural Features and Landscapes, and
- CE - Coastal environment

67. The consequential amendment is recommended to be inserted into the chapters before the start of each of the Activity Rules section. It is recommended that the additional rule be tailored to the individual chapter to align with the exemption proposed for the EI chapter.

4.1.3 Summary of recommendations

68. I recommend that the submissions from the following submitters be **accepted**:

- Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6],
- Transpower NZ Ltd [195.23],
- Mainpower NZ Ltd [249.1, 249.47, 249.48],
- Kainga Ora Homes and Communities [325.18],
- Christchurch International Airport Ltd [254.25]
- KiwiRail Holdings Ltd [373.15]

69. I recommend that the submissions from the following submitters be **rejected**:

- Mainpower NZ Ltd [249.46].

70. I recommend that the EI chapter of the Proposed District Plan be amended by redrafting the 'Other potentially relevant District Plan provisions' section as follows:

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. The 'How to interpret and apply the rules' section details which other provisions any apply 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.*~~
- ~~• *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.~~

Rules

How to interpret and apply the rules

1. All of the provisions in the following District-wide chapters apply in addition to the provisions in the Energy and Infrastructure chapter:
 - a. SD – Strategic Directions
 - b. TRAN - Transport;
 - c. HS - Hazardous substances;
 - d. CL - Contaminated land;
 - e. NH - Natural hazards;
 - f. SUB - Subdivision;
 - g. EW - Earthworks;
 - h. LIGHT - Light;
 - i. NOISE - Noise; and
 - j. SIGN - 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 - Notable Trees,
 - c. SASM - Sites and Areas of Significance to Maori,
 - d. ECO - Ecosystems and Indigenous Biodiversity,
 - e. NATC - Natural Character of Freshwater Bodies,
 - k. NFL - Natural Features and Landscapes, and
 - l. CE - Coastal environment.

3. The rules and standards in the District-wide chapters listed in (2) above do not apply to Energy and Infrastructure, except in the following circumstances:
 - a. Relocation of any historic heritage listed in HH-SCHEM2 must comply with HH-R4, HH-R6 and HH-R8;
 - b. Demolition of historic heritage items listed in HH-SCHEM2 must comply with HH-R7 and HH-R9;
 - c. Removal of any Notable Tree listed in TREE-SCHEM1 must comply with TREE- R6 and TREE-R7;
 - d. New buildings and structures within a SAL, ONF and ONF must comply with NFL-S1 and NFL-S2;
 - e. New centre pivots and travelling irrigators must comply with NFL-R8;
 - f. New roads must comply with NFL-R9; and
 - g. Irrigation infrastructure near any mapped SNA must comply with ECO-R4
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. Where specified in the Energy and Infrastructure rules;
 - b. The Special Purpose Zone (Hospital) rules apply to activities on the Rangiora and Oxford hospital sites;
 - c. 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;
 - d. The Energy and Infrastructure rules apply in the Special Purpose Zone (Kainoa Nohoanga) (see SPZ(KN)-APP1 and SPZ(KN)-APP2);
 - e. Habitable buildings are subject to the rules of the zone in which they are to be located.¹

71. I recommend that the ECO, HH, TREE, SASM, NATC and CE chapters of the Proposed District Plan be amended by including new rules before the start of each of the Activity Rules section as follows:

For the SASM, NATC and CE chapters:

Rules

How to interpret and apply the rules

¹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6],

The rules within this chapter do not apply to activities in the Energy and Infrastructure chapter.

For the ECO chapter:

Rules

How to interpret and apply the rules

The following rule within this chapter is the only rule that also applies to activities in the Energy and Infrastructure chapter:

- a. Irrigation infrastructure near any mapped SNA must comply with ECO-R4.

For the HH chapter:

Rules

How to interpret and apply the rules

The following rules within this chapter are the only rules that also apply to activities in the Energy and Infrastructure chapter:

- a. Relocation of any historic heritage listed in HH-SCHED2 must comply with HH-R4, HH-R6 or HH-R8; and
- b. Demolition of historic heritage items listed in HH-SCHED2 must comply with HH-R7 or HH-R9.

For the TREE chapter:

Rules

How to interpret and apply the rules

The following rules within this chapter are the only rules that also apply to activities in the Energy and Infrastructure chapter:

- a. Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE-R6 or TREE-R7.

For the NFL chapter:

Rules

How to interpret and apply the rules

The following rules and standards within this chapter are the only rules and standards that also apply to activities in the Energy and Infrastructure chapter:

- a. New buildings and structures within a SAL, ONF and ONF must comply with NFL-S1 and NFL-S2;
- b. New centre pivots and travelling irrigators must comply with NFL-R8; and
- c. New roads must comply with NFL-R9.

4.2 Section 32AA assessment

72. I consider the recommended amendments improve the clarity of the Proposed Plan as there is greater certainty as to the relationship between chapters. I consider the Proposed Plan will be easier to interpret and implement and more effective than the notified provisions in achieving the objectives. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

5 Introduction

5.1.1 Matters raised by submitters

73. Three additional submissions have been received on the Introduction, one seeks it be retained as notified.²
74. Mainpower [249.46] opposes the inclusion of the terms 'regionally significant infrastructure', 'critical infrastructure' and strategic infrastructure', within the definition and seeks they are replaced with 'important infrastructure' to simplify terminology.
75. CIAL [254.25] support the references in the introduction 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.

5.1.2 Assessment

76. Regarding the submission of Mainpower, I note that the definition 'regionally significant infrastructure', 'critical 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. Introducing a new term within the Proposed Plan is not considered necessary.
77. I agree with the wording suggested by CIAL but suggest adding the words '*...within this chapter...*' to support the proposed additional wording later in the 'Activity Rules' section.

5.1.3 Summary of recommendations

78. I recommend that the submissions from the following submitters be **accepted**:
- Kainga Ora [325.18]
 - CIAL [254.25]
79. I recommend that the submissions from Mainpower [249.46] be **rejected**.
80. I recommend that the EI chapter of the Proposed District Plan be amended by the addition of the following to the end of the first paragraph as shown in Appendix A:

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.³

² Kainga Ora [325.18]

³ CIAL [254.25]

5.2 Section 32AA assessment

81. I consider the recommended amendments are minor in nature and improve the clarity of the Proposed Plan. I consider the Proposed Plan will be easier to interpret and implement and more effective than the notified provisions in achieving the objectives. A full assessment of the amendments recommended to the EI Chapter are included in Appendix C.

6 Objectives

6.1 Objective EI-O1

6.1.1 Matters raised by submitters

82. Fifteen submissions have been received on the objective, nine seek it be retained as notified,⁴ and four remain neutral on the objective.⁵
83. Transpower [195.24] generally supports the objective but seeks amendments to reflect the benefits of nationally significant infrastructure, such as the National Grid, which may extend beyond the district. They also consider this amendment would help implement EI-P1.
84. MainPower [249.52] also support the objective but seek the following minor amendments for clarification replacing 'changing techniques and technology' with 'and to recognise practical, technical and operational requirements.'

6.1.2 Assessment

85. Within the NPSET, Policy 1 requires decision-makers to recognise and provide for the national, regional and local benefits of electricity transmission. Policy 2 requires effective operation, maintenance, upgrading and development of the electricity transmission network to be recognised and provided for. Policy 16.3.4 of the RPS encourages a reliable and resilient national electricity transmission network within Canterbury. I support the amendment sought by Transpower which in my view gives better effect to the NPSET and RPS.
86. Regarding the submission of MainPower, the principle of the proposed amendment is accepted. However, I consider reference to "functional need" and "operational need" align with the National Planning Standards and better encompass the amendments sought.

6.1.3 Summary of recommendations

87. I recommend that the submissions from the following submitters be **accepted**:
- Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.7],
 - CDHB [68.23],
 - NZDF [166.10],
 - CIAL [254.26],
 - Waka Kotahi [275.11],
 - FENZ [303.9],
 - ECan [316.16],

⁴ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.7], CDHB [68.23], NZDF [166.10], CIAL [254.26], Waka Kotahi [275.11], FENZ [303.9], ECan [316.16], Kainga Ora [325.19], KiwiRail [373.17]

⁵ Keith Goodwin [418.10], Chloe Chai and; Mark McKitterick [256.10], John Stevenson [162.9], CA and; GJ McKeever [111.10]

- Kainga Ora [325.19],
- KiwiRail [373.17]
- Keith Goodwin [418.10],
- Chloe Chai and; Mark McKitterick [256.10],
- John Stevenson [162.9],
- CA and; GJ McKeever [111.10],
- Transpower [195.24],
- MainPower [249.52].

88. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-O1(1) as follows and as shown in Appendix A :

EI-O1	<p>Provision of energy and infrastructure</p> <p>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, <u>region and nation</u>,⁶ including in response to future <u>functional, operational and increased sustainability</u>⁷ needs such as increased sustainability, and changing techniques and technology,⁸ 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.
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6.2 Objective EI-O2

6.2.1 Matters raised by submitters

89. Twelve submissions have been received on the objective, three seek it be retained as notified,⁹ and four remain neutral on the objective.¹⁰
90. ECan [316.17] generally supports the objective but seeks amendments to include a general hierarchy of effects to provide guidance for resource consent applications. Transpower [195.25] seek amendments to replace “avoid, remedy or mitigate” with “manage”, to allow the suite of responses to be available, including offsetting and compensation.

⁶ Transpower New Zealand [195.24]

⁷ MainPower [249.52]

⁸ Transpower New Zealand [195.24]

⁹ Telecommunications [62.8], FENZ [303.26], Kainga Ora [325.20]

¹⁰ CA and; GJ McKeever [111.11], John Stevenson [162.10], Chloe Chai and; Mark McKitterick [256.11], Keith Goodwin [418.11]

91. MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12] consider it important to acknowledge the ability to manage effects on surrounding environments and community wellbeing must take into account the practical, technical and operational requirements of infrastructure.

6.2.2 Assessment

92. A hierarchy of effects may be useful to identify matters to consider but it is my view that this approach risks inadvertently ruling out matters that should be considered and believe it more appropriate to apply a hierarchical approach to the policy context as that is where the guidance as to how the objective is to be achieved should be set out as is done in EI-P5. However, I support replacing the terms “avoid, remedy or mitigate” with “manage” to ensure a greater spectrum of management approaches is provided.
93. I agree in part with the submitters seeking the practical, technical and operational requirements of infrastructure to be taken into account. However, I consider reference to “functional need” and “operational need” align with the National Planning Standards and better encompass the amendments sought. These terms are used in EI-P5, EI-MD1, EI-MD3 and EI-MD10

6.2.3 Summary of recommendations

94. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone [62.8],
 - FENZ [303.26],
 - Kainga Ora [325.20],
 - CA and; GJ McKeever [111.11],
 - John Stevenson [162.10],
 - Chloe Chai and; Mark McKitterick [256.11],
 - Keith Goodwin [418.11],
 - ECan [316.17]
 - MainPower [249.53],
 - CIAL [254.27] and
 - Waka Kotahi [275.12]
95. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-O2 as follows and as shown in Appendix A:

EI-O2	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
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	managed ¹¹ , while taking into account their operational and functional needs avoided, remedied or mitigated ¹² .
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6.3 Objective EI-O3

6.3.1 Matters raised by submitters

96. Fifteen submissions have been received on the objective, ten seek it be retained as notified.¹³ Two submissions consider further clarification is needed and seek the following similar amendment:¹⁴

The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not constrained or compromised by incompatible activities and development, including by reverse sensitivity effects.

97. Kainga Ora [325.21] consider existing sensitive activities and heritage or environmental constraints can affect network utilities and seek the following amendment:

The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not unreasonably constrained or compromised by other activities and development, including by reverse sensitivity effects.

98. Federated Farmers [414.68] consider it inappropriate to protect the future upgrading and development of infrastructure which could constrain existing land uses, such as farming. They understand reference to reverse sensitivity is specific to the National Grid, as required by Policy 10 of the NPSET and does not apply to other public infrastructure, therefore seek amendment to the policy to reflect this, including the removal of reference to 'renewal, upgrading and development' and reference to 'reverse sensitivity effects'.
99. ECan [316.18] consider narrowing the scope from all infrastructure in any location to the maintenance and upgrading of regionally significant and critical infrastructure may give better effect to the RPS.

6.3.2 Assessment

100. I support the submission which seek the addition of the term "incompatible" to make it clear that not all activities that are located near energy and infrastructure activities will create reverse sensitivity effects.
101. I disagree with submitters seeking to delete reference to reverse sensitivity. In my view reverse sensitivity is a constraint faced by many types of existing infrastructure, not just the National Grid, and therefore must remain clearly stated within the objective. I also disagree with submitter that seek the addition of the term "unreasonably". I note that the RPS contains

¹¹ ECan [316.17]

¹² MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12]

¹³ Telecommunications [62.9], CA and; GJ McKeever [111.12], John Stevenson [[162.11], NZDF [166.11], Transpower [195.26], Chloe Chai and; Mark McKitterick [256.12], Waka Kotahi [275.13], FENZ [303.25], KiwiRail [373.18], Keith Godwin [418.12]

¹⁴ MainPower [249.54], CIAL [254.28]

several of references within Chapters 5 and 6 to the managing reverse sensitivity effects¹⁵. None of these provisions within the RPS include a test related to whether the reverse sensitive effect is reasonably or not. Given this I consider the suggested addition will not give effect to the RPS.

102. With regards to the relief sought by Federated Farmers, I consider it is not unreasonable to anticipate that infrastructure may be upgraded or developed in future. I agree in part with the submitter seeking to delete the term 'renewal', as I consider the term is already captured by reference to the development of infrastructure.
103. In relation to the submission from ECan, I consider the amendments to the objective supported above, narrow the scope of the objective to ensure that energy and infrastructure is not constrained or compromised by 'incompatible' activities. These amendments have narrowed the focus of the objective. In addition, I note that amendments have been recommended to EL-P5 to better align the Plan with the RPS.

6.3.3 Summary of recommendations

104. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark and Vodafone [62.9],
- CA and; GJ McKeever [111.12],
- John Stevenson [[162.11],
- NZDF [166.11],
- Transpower [195.26],
- Chloe Chai and; Mark McKitterick [256.12],
- Waka Kotahi [275.13],
- FENZ [303.25],
- KiwiRail [373.18],
- Keith Godwin [418.12]
- MainPower [249.54]
- CIAL [254.28],
- Kainga Ora [325.21],
- Federated Farmers [414.68],
- ECan [316.18]

¹⁵ Objective 5.1.2, Policies 5.3.2(2) and 5.3.9(1) in relation to regionally significant infrastructure, Policy 5.3.8(2) in relation to land use transport planning, Policy 3.10 in relation to telecommunication infrastructure, Policy 5.3.11 in relation to community-scale irrigation, stock water and rural drainage infrastructure, Policy 6.3.5(4) and (5) in relation to integration of land use and infrastructure.

105. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-O3 as follows and as shown in **Appendix A**:

EI-O3	Effects of other activities and development on energy and infrastructure The safe, efficient and effective operation, maintenance, repair, renewal , ¹⁶ upgrading and development of energy and infrastructure is not constrained or compromised by <u>incompatible</u> ¹⁷ activities and development, including by reverse sensitivity effects.
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6.4 Section 32AA assessment

106. I consider the recommended amendments to the objective are reasonably minor in nature. The recommended amendments include minor tweaks to the drafting to better give effect to the higher order documents such as the RPS and the NPSET. I consider that the recommended amendments to the objectives are the most appropriate to achieve the purpose of the RMA. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

¹⁶ Federated Farmers [414.68]

¹⁷ MainPower [249.54], CIAL [254.28]

7 Policies

7.1 Introduction

107. The EI Chapter includes six policies:

- EI-P1 - Recognising the benefits of, and providing for, energy and infrastructure
- EI-P2 - Availability, provision and adequacy of, and connection to, energy and infrastructure
- EI-P3 - New technologies and techniques
- EI-P4 - Environmentally sustainable outcomes
- EI-P5 - Manage adverse effects of energy and infrastructure
- EI-P6 - Effects of other activities and development on energy and infrastructure.

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

7.2.1 Matters raised by submitters

108. Eleven submissions have been received on the policy, four seek it be retained as notified,¹⁸ and four remain neutral on the policy.¹⁹ Three submissions generally support the policy with amendments to help clarification.

109. MainPower [249.55] seeks the policy recognise the functional and operational requirements of important infrastructure to locate in certain areas, and CIAL [254.29] seeks amendments to subclause 1. to ensure that the 'use' and 'development' of energy and infrastructure is enabled.

110. Transpower [195.27] seeks the following 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):

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. ...

~~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. ...~~

111. Kainga Ora [325.22] seek the following amendment:

¹⁸Telecommunications [62.10], NZDF [166.12], FENZ [303.10], KiwiRail [373.19]

¹⁹ Keith Goodwin [418.13], Chloe Chai and; Mark McKitterick [256.13], John Stevenson [162.12], CA and; GJ McKeever [111.13]

...

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 transmission lines, major electricity distribution lines, and supply of fuel and energy

...

7.2.2 Assessment

112. Regarding the submission seeking amendments for minor clarification, I do not support the minor amendments sought by CIAL, as I consider “use” to be implicit in the reference to “operation”. I also disagree that Clause (1) should include provision for “development” when this is provided for in Clause (2).
113. In relation to the submission of MainPower, I also disagree there is a requirement to provide recognition of the functional and operational needs of important infrastructure to locate in certain areas, as I consider these to be adequately provided for in EI-P5(3) and EI-P5(4).
114. As notified, EI-P1 clauses (1) to (10) are listed in no specific order and all must be given effect to ensure the local, regional or national benefits of energy and infrastructure are recognised. I therefore do not agree that Clause (4) needs to be elevated in the manner sought by Transpower.
115. Regarding the Kainga Ora submission seeking to amend Clause (2) by deleting reference to “*more than minor or significant*”, I consider this would result in a degree of duplication with Clause (1). In relation to the amendment to Clause (4) I consider the NPSET definition for “*electricity transmission*” is sufficient to support policy interpretation. As defined by the NPSET, “*electricity transmission*” means:

‘...part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.’

116. In my view this EI-P1 should be retained as notified.

7.2.2.1 Summary of recommendations

117. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark and Vodafone [62.10],
- NZDF [166.12],
- FENZ [303.10],
- KiwiRail [373.19],
- Keith Goodwin [418.13],

- Chloe Chai and; Mark McKitterick [256.13],
- John Stevenson [162.12], and
- CA and; GJ McKeever [111.13]

118. I recommend that the submissions from the following submitters be **rejected**:

- MainPower [249.55]
- CIAL [254.29]
- Transpower [195.27]
- Kainga Ora [325.22]

119. I recommend that no change be made to the EI chapter of the Proposed District Plan.

7.3 Policy EI-P4: Environmentally sustainable outcomes

7.3.1 Matters raised by submitters

120. Nine submissions have been received on the policy, two seek it be retained as notified,²⁰ and four remain neutral on the policy.²¹

121. ECan [316.20] support the intent of the policy but considers the policy should specify that sequestration trees do not include wilding or pest species.

122. Federated Farmers [414.69] consider the policy is unclear about whether it applies to new buildings, or during renovation or maintenance. For clarification they seek the following amendment:

Seek more environmentally sustainable outcomes associated with energy and infrastructure in the design and construction phase, including by promoting...

123. Kainga Ora [325.25] seek the following amendment, as they consider the policy can only “promote” sustainable outcomes and deletion of certain aspects that are undertaken in a separate process is required:

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.~~

²⁰ MainPower [249.58], DoC [419.34]

²¹ Keith Goodwin [418.16], Chloe Chai and; Mark McKitterick [256.16], John Stevenson [162.15], CA and; GJ McKeever [111.16]

7.3.2 Assessment

124. I support the submission relating to Policy EI-P4(6) and agree amendments are required to specify that sequestration trees do not include wilding or pest species.
125. In response to the Federated Farmers submission to the application of this policy, I note that the provisions only apply to new activities and are not applied retrospectively to existing activities. I disagree an amendment is required.
126. I disagree with the submission of Kainga Ora seeking the replacement of “seek” with “promote”. I note that 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. Therefore, I consider using the term “encourage’ is more consistent with the strategic direction of the Plan.
127. I do not consider it necessary to delete ‘*including by promoting*’, as the listed matters are not exhaustive but are context specific to the Energy and Infrastructure chapter. However, as noted in the previous paragraph, a district plan can only enable activities to occur, hence I suggest deleting the word ‘*promoting*’. This is a minor change that does not change the policy direction. Additionally, I do not support the full deletion of Clause (8), I note that the drafting of the policy is not directive. It is an aspirational policy that is seeking more environmentally sustainable outcomes but does not require them to be achieved. Given this I consider the ‘non-regulatory’ direction within clause (8) is correct.

7.3.3 Summary of recommendations

128. I recommend that the submissions from the following submitters be **accepted**:
- MainPower [249.58],
 - DOC [419.34]
 - Keith Goodwin [418.16],
 - Chloe Chai and; Mark McKitterick [256.16],
 - John Stevenson [162.15],
 - CA and; GJ McKeever [111.16],
 - ECan [316.20], and
129. I recommend that the submissions from the following submitters be **rejected**:
- Kainga Ora [325.25]
 - Federated Farmers [414.69]
130. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-P4 as follows and as shown in **Appendix A**:

EI-P4	<p>Environmentally sustainable outcomes</p> <p><u>Encourage</u> Seek more²² more environmentally sustainable outcomes associated with energy and infrastructure, <u>where possible</u>²³, including by <u>promoting</u>²⁴:</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>²⁵, or the establishment and restoration of wetlands; 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; and 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.
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7.4 Policy EI-P5: Manage adverse effects of energy and infrastructure

7.4.1 Matters raised by submitters

131. Fifteen submissions have been received on the policy, four seek it be retained as notified,²⁶ and four remain neutral on the policy.²⁷

132. Transpower [195.29] consider giving effect to the NPSET has been more efficiently achieved through a standalone National Grid policy or policies which may be an appropriate alternative relief. However, the policy is generally supported as it reflects the requirement of this national direction, but the following amendments are sought:

...

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:

...

²² Kainga Ora [325.25]

²³ Kainga Ora [325.25]

²⁴ Kainga Ora [325.25]

²⁵ ECAN [316.20]

²⁶ NZDF [166.13], Heritage NZ [178.8], MainPower [249.59], FENZ [303.11]

²⁷ CA and; GJ McKeever [111.17], John Stevenson [162.16], Chloe Chai and; Mark McKitterick [256.26], Keith Godwin [418.17]

c. an existing sensitive activity;

...

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:

...

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;

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:

...

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 New Zealand or international standards or guidelines; and...

133. Forest and Bird [192.39] consider the policy is inconsistent with higher order documents, specifically Chapter 5 of the RPS, and Policy 11(a) and Policy 11(b) of the New Zealand Coastal Policy Statement. The submitter seeks amendments which either:

- limits the types of infrastructure that can avail themselves of EI-P5(3) and (4), or
- delete Clause (5).

134. ECan [316.21] seeks clarification in clause (5) that biodiversity offsets should only be used where there is a strong likelihood that offsets will be achieved in perpetuity.

135. Chorus, Spark and Vodafone [62.14] raise concern regarding policy integration and seek amendments to NFL-P1, NFL-P3 and NFL-P4 to ensure they do not override EI-P5.

136. CIAL [254.30] seek amendments to reflect potential operational and technical constraints of infrastructure and recognise that it will not always be possible, or reasonable, to avoid, remedy or mitigate adverse effects.

137. Kainga Ora [325.26] and Federated Farmers [414.70] seek amendments to ensure the policy gives effect to the objective.²⁸ Kainga Ora specifically seeks the following amendment:

²⁸ Kainga Ora [325.26], Federated Farmers [414.70]

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

1. ...
2. avoiding, remedying or mitigating adverse effects of ~~more than minor~~ upgrades to existing energy and infrastructure, including effects on:
 - ...

138. Federated Farmers considers Clause (1) constrains more than minor upgrades to energy and infrastructure and additionally seeks an additional subclause to Clause (2) to provide for rural production.

7.4.2 Assessment

139. In relation to the amendments sought by Forest and Bird, I agree that amendments are required within the policy to navigate the competing higher order direction.

140. When considering the relevant higher order direction, I note that there are higher order documents that require district plans to be 'enabling' of energy (particularly renewable energy) and infrastructure. At the same time, however, there are higher order documents that require that the values of particular sensitive environments are protected.

141. When considering the potential overlap between high order provisions I consider it is important to interrogate the language used in the higher order policy direction to determine which of the competing policy direction is more specific and directive, in accordance with the accepted approach to interpretation that the 'specific' overrides the 'general'. Also, in accordance with the approach set out in the *King Salmon* line of cases and as refined by *Appealing Wanaka Incorporated v QLDC*,²⁹ it is necessary to consider the immediately closer higher order document first, and then refer to the provisions of other higher order documents to double check that there is no ambiguity, a void, a conflict or the higher order document has not been fully 'given effect to'.

142. Policies 11, 13, and 15 of the NZCPS states:

- avoid the adverse effects of activities³⁰; or
- avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities³¹

in particular areas of the coastal environment containing biodiversity, natural character and natural features and natural landscapes.

143. Policy 8 of the NPS-ET reads:

²⁹ *Appealing Wanaka Incorporated v QLDC* [2015] NZEnvC 139

³⁰ Policy 11(a), Policy 13(a), Policy 15(a),

³¹ Policy 11(b), Policy 13(b), Policy 15(b),

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

144. The language used within Policies 11, 13, and 15 of the NZCPS is directive, and requires the protection or preservation of specific areas of the coastal environment from inappropriate subdivision, use, and development, or in the case of Policy 11 protection of indigenous biological diversity in the coastal environment. These policies then detail how this protection is to occur, through the avoidance of adverse effects, or the avoidance of significant effects. These policies do not contemplate a divergence from this strict avoidance requirement.
145. In contrast, Policy 8 of the NPSET requires that in rural environments, planning and development of the transmission system should seek to avoid adverse effects on particular areas and landscapes. I consider the language of Policy 8 of the NPS-ET that 'development of the transmission system should seek to avoid' is less directive than the language within Policies 11, 13, and 15 of the NZCPS.
146. Policies 11, 13, and 15 of the NZCPS have been reflected in policies ECO-P7, CE-P2, NFL-P1 and NFL-P3. In my view, in order to give effect to the NZCPS, when energy and infrastructure activities are proposed in the coastal environment, the protective policies of the Plan that give effect to the NZCPS (policies ECO-P7, CE-P2, NFL-P1 and NFL-P3) should apply. As such, I consider the scope of clause (3) within the notified policy should be restricted to areas outside the coastal environment to ensure the protective policies of the Plan listed above are not compromised by the direction within clause (3) of EI-P5.
147. In addition, I note that RPS includes direction on the management of 'regionally significant infrastructure', namely Objective 5.2.2, Policy 5.3.9 which states:
- In relation to regionally significant infrastructure (including transport hubs):
1. ...
 2. provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and
 3. provide for the expansion of existing infrastructure and development of new infrastructure, while:
 - a. recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists;
 - b. avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and
 - c. when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.
148. I also note that Chapter 16 of the RPS includes direction on the management 'renewable electricity generation', 'small and community scale distributed renewable electricity

generation' and 'national electricity transmission network'³²(all of which are defined as regionally significant infrastructure). The provisions of the RPS provide an alternative pathway for managing the effects of these activities which states:

- avoid any adverse effects on significant natural and physical resources and cultural values or where this is not practicable, remedies or mitigates; and
- appropriately controls other adverse effects on the environment.

149. I consider the objective and policy framework of the RPS highlighted above elevates 'regionally significant infrastructure' from other infrastructure when it comes to managing the potential adverse effects of infrastructure in sensitive environments. As such, I support the submission from Forest and Bird that seeks the policy is aligned with Chapter 5 of the RPS, but reducing the scope of clauses (3) and (4) so they only apply to regionally significant infrastructure. As a consequential amendment, given I am recommending that EI-P5(3) and (4) only apply to regionally significant infrastructure, this means there is a gap in the policy for new energy and infrastructure that is not regionally significant. As such, I have recommended an amendment to EI-P5(2) which provides for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure while avoiding, remedying or mitigating adverse effects.
150. I have also considered how the recommended amendments to EI-P5 will be read alongside the protective of chapters within the Proposed Plan (i.e. NATC, ECO, NFL, etc.) which include directive policies that require the protection of a range of 'sensitive environments'. I consider that EI-P5(1) and (2) broadly enable maintenance, repair, renewal, of existing energy and infrastructure, and provides for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure. I also note that the protective chapters of the Proposed Plan include specific and directive protection of the values on the 'sensitive environments'. These enabling and protective policies will be read together by decision makers. Given the directiveness of the protective policies, the protective polices will likely be given greater weight than the generally enabling policies of the EI chapter if there is a conflict in a consenting process. However, for regionally significant infrastructure outside the CE, EI-P5(3) and (4) provides a cascade that provides a consenting pathway for regionally significant infrastructure in these sensitive environments, if the requirements of EI-P5(3) and (4) can be achieved. In my view this policy this framework gives effect to both the enabling and protective aspects of the higher order documents listed above.
151. In the context of the CE chapter the cascade within EI-P5(3) and (4) does not apply to activities within the coastal environment. In this environment, I note that CE-P7 provides for infrastructure that has a functional or operational to be located in the coastal environment. As such, in this situation the broadly enabling aspects of EI-P5(1) and (2) will apply, as will the enabling direction within CE-P7. However, this will need to be read together with the directive provisions that require the protection of sensitive environments. Decision makers will need to weigh up these competing provisions on a case-by-case basis. In my view this policy this framework also gives effect to both the enabling and protective aspects of the higher order documents listed above.

³² Objective 16.2.2, and Policies 16.3.2, 16.3.4, 16.3.5

152. I support in part the submission of Transpower and agree amendments sought give better effect to the NPSET. However, with regards to the insertion of Clause (x), I note that Policy 6 of the NPSET only requires *substantial upgrades* of transmission infrastructure to reduce existing adverse effects of transmission, therefore I disagree that new development should also be included.
153. I agree in part with the concerns raised by Forest and Bird. I note that there is specific provision with the PDP that has been drafted to give effect to the NZCPS.
154. Regarding biodiversity offsets set out in Clause (5), I note 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”. For this reason, I support the amendments sought by ECan.
155. In relation to submission from CIAL seeking consideration of the operational and technical constraints of infrastructure, I consider that the operational and technical constraints of infrastructure are already included within EI-P5. I note that EI-P5(3) and (4) require the consideration of the functional need or operational needs of the energy and infrastructure.
156. Policy EI-P5 as notified intended to operate as a cascade from Clauses (1) to Clause (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 manage ‘more than minor upgrades’ to existing infrastructure (Clause 2), manage ‘new infrastructure, or major upgrades to existing infrastructure’ (Clause 3 and Clause 4). I therefore do not agree that Clause 1 constrains more than minor upgrades to energy and infrastructure. I also do not support a specific subclause for “*rural production*”, as I consider this to be encompassed by Clause (2)(e) which provides for ‘the well-being of people and communities’ which may include all forms of economic activity.
157. In relation to the submission from Kainga Ora, I disagree the amendments are required. I consider that clauses (1) to (7) within the policy set out the manner in which the adverse effects of energy and infrastructure will be managed, and the suggested addition to the chapeau is not required. I also disagree with the suggested amendments to clause (2), as I consider these would disrupt the intended ‘cascade’ from Clause (1) to Clause (4).
158. Finally, Transpower seek a new clause (x) be added to the policy. I agree in part with this amendment. I note that the first part of the proposed new clause x. that refers to ‘reducing existing adverse effects in the development of new energy and infrastructure’. If the energy and infrastructure is new there will not be existing adverse effects to reduce. In relation to the second part of the new clause, I agree that using major upgrades as an opportunity to reduce existing adverse effects, is appropriate.

7.4.3 Summary of recommendation

159. I recommend that the submissions from the following submitters be **accepted**:
- NZDF [166.13],
 - Heritage NZ [178.8],
 - MainPower [249.59],
 - FENZ [303.11]

- CA and; GJ McKeever [111.17],
- John Stevenson [162.16],
- Chloe Chai and; Mark McKitterick [256.26],
- Keith Godwin [418.17]
- Transpower [195.29]
- Forest and Bird [192.39]
- ECan [316.21]
- Chorus, Spark and Vodafone [62.14]

160. I recommend that the submissions from the following submitters be **rejected**:

- Kainga Ora [325.26]
- CIAL [254.30]
- Federated Farmers [414.70]

161. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-P5 as follows and as shown in **Appendix A**:

EI-P5	<p>Manage adverse effects of energy and infrastructure</p> <p>Manage adverse effects of energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. enabling or providing³³ for the ongoing operation, maintenance, repair, renewal³⁴, removal and minor upgrade of existing energy and infrastructure; 2. <u>providing for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure while</u>³⁵ avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects³⁶ on: <ol style="list-style-type: none"> a. natural and physical resources; b. amenity values; c. <u>an existing</u>³⁷ 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>³⁸</p>
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³³ Transpower [195.29]

³⁴ Federated Farmers [414.68] – Consequential amendment – EI-O3

³⁵ Transpower [195.29]

³⁶ Transpower [195.29]

³⁷ Transpower [195.29]

³⁸ Transpower [195.29]

	<p>3. <u>outside of the coastal environment, regionally significant new energy</u>³⁹ and infrastructure, or major upgrades to existing <u>regionally significant energy and</u>⁴⁰ infrastructure, should, to the extent <u>considered</u>⁴¹ practicable, ensure that the route or site is located outside of the following types of sensitive environments to protect such environments from significant adverse effects, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure:</p> <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC, and natural character of scheduled freshwater bodies setbacks; c. SNAs; d. buildings, other structures and settings with heritage values, and archaeological sites; e. SASM; f. places adjoining the coastal marine area;⁴² <p>4. where <u>regionally significant energy and</u>⁴³ infrastructure, or major upgrades to existing <u>regionally significant energy and</u>⁴⁴ infrastructure, cannot locate outside of the sensitive environments in (3) above, the energy and infrastructure should, to the extent <u>considered</u> practicable⁴⁵, ensure that the proposed route, site, structure and construction method demonstrate the following, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure:</p> <ol style="list-style-type: none"> a. <u>regionally significant energy and</u>⁴⁶ infrastructure will be located in more compromised parts of the areas in (3) above where that reduces adverse effects on the values of those areas; b. techniques (such as structure selection or construction methodology) will be used to mitigate adverse effects on the areas in (3) above; c. adverse effects on the areas in (3) above will be remedied or mitigated; <p>5. <u>consider biodiversity offset, where there is a strong likelihood that the offset will be achieved in perpetuity,</u>⁴⁷ for residual adverse effects on indigenous biodiversity that cannot otherwise be avoided, remedied or mitigated;</p> <p>6. avoiding or mitigating⁴⁸ potential significant adverse effects of the generation of radio frequency fields and electric and magnetic fields by requiring compliance with recognised standards or guidelines; and</p> <p>7. promoting the undergrounding of new energy and infrastructure where it is:</p> <ol style="list-style-type: none"> a. technically feasible; b. economically viable;
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³⁹ Forest and Bird [192.39]

⁴⁰ Forest and Bird [192.39]

⁴¹ Transpower [195.29]

⁴² Forest and Bird [192.39]

⁴³ Forest and Bird [192.39]

⁴⁴ Forest and Bird [192.39]

⁴⁵ Transpower [195.29]

⁴⁶ Forest and Bird [192.39]

⁴⁷ ECan [316.21]

⁴⁸ Transpower [195.29]

	c. justified by the extent of adverse visual effects if not placed underground.
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7.5 Policy EI-P6: Effects of other activities and development on energy and infrastructure

7.5.1 Matters raised by submitters

162. Fifteen submissions have been received on the policy, four seek it be retained as notified,⁴⁹ and four remain neutral on the policy.⁵⁰ Federated Farmers [414.71] seek the policy's deletion, as they consider it introduces additional constraints beyond those provided in the NPSET.

163. Similarly, Kainga Ora [325.27] acknowledge the requirement to give effect to the NPSET but considers this is not applicable to electricity distribution lines other than those identified to be the National Grid.

164. Transpower [195.30] seeks the following amendments to ensure it gives effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS:

...

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
- x. with regards to the National Grid, in addition to (1) above:
 - a. 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

⁴⁹ Telecommunications [62.13], NZDF [166.14], FENZ [303.12], KiwiRail [373.22]

⁵⁰ CA and; GJ McKeever [111.18], John Stevenson [162.17], Chloe Chai and; Mark McKitterick [295.76], Keith Godwin [418.18]

- b. managing subdivision to ensure the National Grid is not compromised, reverse sensitivity effects are avoided and good amenity and urban design outcomes are achieved;

...

165. Transpower [195.30] and Hort NZ [295.76] also raise concern that “intensive farming activities” are not defined in the Proposed District Plan and consider this may create some ambiguity in the Policy. Hort NZ seek that either intensive farming activities are defined or deleted from the policy.

166. Hort NZ [295.76] also seek the following amendments to give effect to the NPSET:

...

- 2. with regards to the National Grid and major electricity distribution lines, in addition to (1) above, by ensuring that:

...

- 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 to the extent reasonably possible;

167. Two submitters seek amendments which replace “manage” with “avoid”, strengthening the policy direction.⁵¹ To support clarification, MainPower seek the following amendment:

- 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, replacement, upgrading and development of energy and infrastructure; and

...

168. CIAL also consider further clarification could be provided by specifying more detail particular issues in the District and the submitter seeks the following amendments:

~~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. avoiding the establishment of noise sensitive activities within the 50 dBA Ldn Air Noise Contour;
- 3. managing the risk of bird strike to aircraft using Christchurch International Airport

...

⁵¹ MainPower [249.60], CIAL [254.31]

169. ECan [316.22] suggests consideration is required regarding whether Clause (2)(a) should apply to all infrastructure or only that which has a certain level of significance or already exists.

7.5.2 Assessment

170. I agree with the submission of Transpower seeking an explicit clause for the management of National Grid infrastructure. I agree the proposed amendments will better give effect to Policies 10 and 11 of the NPSET and Policy 16.3.4 of the RPS. However, I do not agree with the exact wording proposed by Transpower as in my opinion, the wording is more than the directives in the NPSET policies contain. For example, the word 'avoided' has been substituted for the wording in Policy 11 which states "...sensitive activities will generally **not be provided for in plans and/or given resource consent**" (my emphasis added). I consider that the wording recommended is a more accurate reflection of the NPSET policies.

171. In relation to the amendments from Kainga Ora, I disagree that the deletion of references to 'major electricity distribution lines' is required. I note that 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'

172. In addition, Policy 6.3.5(5) of the RPS states:

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

...

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

173. Given this I consider the requirement within EI-P6(1) gives effect to the 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.

174. With regards to the term, 'intensive farming activities', I note that this is an undefined term within the Proposed Plan. As such, I recommend 'intensive farming activities' be replaced with 'intensive indoor primary production' which is a National Planning Standards definition and is used elsewhere in the Proposed Plan.

175. In relation the amendment sought by ECan, I have recommended clause (2) only applies to 'major electricity distribution lines' which are mapped in the Proposed Plan, so it will not apply to all infrastructure.

176. In relation to the submissions from Mainpower and CIAL, I consider use of the term 'manage' rather than 'avoid' as it provides for a greater breadth of management responses.

7.5.3 Summary of recommendation

177. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark and Vodafone [62.13],
- NZDF [166.14],
- FENZ [303.12],
- KiwiRail [373.22]
- CA and GJ McKeever [111.18],
- John Stevenson [162.17],
- Chloe Chai and Mark McKitterick [295.76],
- Keith Godwin [418.18]
- Transpower [195.30]

178. I recommend that the submissions from the following submitters be **rejected**:

- MainPower [249.60]
- ECan [316.22]
- CIAL [254.31]
- Kainga Ora [325.27]
- Federated Farmers [414.71]

179. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-P6 as follows and as shown in Appendix A:

EI-P6	<p>Effects of other activities and development on energy and infrastructure Manage adverse effects, <u>including reverse sensitivity effects⁵², of incompatible⁵³</u> other activities and development on energy and infrastructure, including by the following:</p> <ol style="list-style-type: none"> 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and 2. with regards to the National Grid and⁵⁴ major electricity 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 and⁵⁵ major electricity distribution lines including support structures; b. sensitive activity and development that may compromise the National Grid and⁵⁶ major electricity distribution lines, including those associated with intensive farming activities <u>indoor primary</u>
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⁵² Christchurch International Airport Ltd [254.31]

⁵³ Christchurch International Airport Ltd [254.31]

⁵⁴ Transpower NZ Ltd [195.30]

⁵⁵ Transpower NZ Ltd [195.30]

⁵⁶ Transpower NZ Ltd [195.30]

	<p><u>production</u>⁵⁷, 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 <u>replacement</u>⁵⁸, upgrading and development of the National Grid and⁵⁹ major electricity distribution lines; and</p> <p><u>2A. with regards to the National Grid, in addition to (1) above:</u></p> <p><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></p> <p><u>b. to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and</u>⁶⁰</p> <p>3. ensuring buildings, other structures and vegetation do not obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, including for radiocommunication associated with critical infrastructure, strategic infrastructure, regionally significant infrastructure, a lifeline utility, and for emergency purposes and day to day operations of an emergency service.</p>
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7.6 New EI policy: Access to physical materials

7.6.1 Matters raised by submitters

180. Fulton Hogan [41.18] considers an additional policy is an important component of achieving EI-O1 and seeks the following amendments which recognise access to the physical materials is required for construction, upgrade and maintenance of infrastructure.

7.6.2 Assessment

181. I agree that aggregate supply sterilisation is an issue that is relevant to the district plan review, but I disagree that the EI chapter is the appropriate place for an additional policy on this issue. In my view this is a land use issue and therefore the RURZ chapter is better placed to consider this land use issue.

7.6.3 Summary of recommendations

182. I recommend that the submissions from Fulton Hogan [41.18] be **rejected**.

183. I recommend that no change be made to the EI chapter of the Proposed District Plan.

⁵⁷ Horticulture NZ [295.76], Federated Farmers [414.71], Transpower NZ Ltd [195.30]

⁵⁸ Mainpower NZ Ltd [249.60]

⁵⁹ Transpower NZ Ltd [195.30]

⁶⁰ Transpower NZ Ltd [195.30]

8 Activity Rules

8.1 Introduction

184. The Energy and Infrastructure Chapter includes:

- 48 permitted activities (EI-R1 – EI-R22, EI-R24 – EI-R36, EI-R38 - EI-R42, EI-R45 - EI-R49, EI-R51, EI-R52, EI-R54, and EI-R55),
- three restricted discretionary activity rules (EI-R23, EI-R43 and EI-R53),
- two discretionary activities (EI-R44 and EI-R50).
- three non-complying activities (EI-R37, EI-R51 and EI-R56).

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

8.2 EI-MD3: Operational considerations (Chorus, Spark, and Vodafone submissions)

8.2.1 Matters raised by submitters

185. In relation to EI-R2, EI-R4, EI-R7, EI-R8, EI-R9, EI-R12, EI-R13, EI-R14, EI-R15, EI-R16, EI-R17, EI-36, EI-MD40 Chorus, Spark, and Vodafone⁶¹ note that there are a number of Energy and Infrastructure rules where EI-MD3 does not apply where permitted activity rules are not met. They consider the operational considerations set out EI-MD3 be a matter of discretion for all telecommunications equipment not meeting permitted activity standards.

8.2.2 Assessment

186. I agree with the Chorus, Spark, and Vodafone that EI-MD3 - Operational considerations should be added as a matter of discretion to the provisions listed above. I agree these operational considerations are important part of the resource consent consideration.

8.2.3 Summary of recommendation

187. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark, and Vodafone [62.62], [62.63], [62.64], [62.65], [62.66], [62.67], [62.88], [62.69], [62.70], [62.71], [62.72], [62.73]

188. I recommend that the EI chapter of the Proposed District Plan be amended by adding EI-MD3 – Operational considerations to EI-R2, EI-R4, EI-R7, EI-R8, EI-R9, EI-R12, EI-R13, EI-R14, EI-R15, EI-R16, and EI-R17.

⁶¹Chorus, Spark and Vodafone Ltd [62.36], [62.62], [62.63], [62.64], [62.65], [62.66], [62.67], [62.68], [62.69], [62.70], [62.71], [62.72], [62.73], [62.74], [62.75]

8.3 New Rule: Electricity Cabinets and Kiosks

8.3.1 Matters raised by submitters

189. Mainpower [249.9] [249.80] seeks the addition of a new definition and rule relating to electricity distribution cabinets and kiosks as follows:

'Electricity Cabinets and Kiosks: 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.'

'Electricity cabinets and kiosks

Activity status: PER

Where:

1. The electricity cabinet and kiosk does not exceed:

a. 2m in height

b. 13m² in area

2. The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):

a. The root protection area of a notable tree; and

b. SNA's

Activity status when compliance not achieved: CON

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'

190. The submission notes that these electricity cabinets and kiosks are small-scale and are necessary to operate the distribution network. They also state that they have several specific features (including the fact that the equipment is not always enclosed in a casing) which make a separate definition more appropriate than the proposed generic 'infrastructure cabinet' definition, which does not capture all relevant MainPower distribution assets.

8.3.2 Assessment

191. It is accepted there are technical reasons a separate new rule and related definition are required. I 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.

8.3.3 Summary of recommendations

192. I recommend that the submissions from the following submitters be **accepted**:

- Mainpower [249.80]
- Mainpower NZ Ltd [249.09]

193. I recommend that the EI chapter of the Proposed District Plan be amended by adding new definition and permitted activity provisions after EI-R20 as follows and as shown in **Appendix A**:

<u>EI-R19A</u>	<u>New electricity cabinets and kiosks⁶²</u>	
<u>All Zones</u>	<u>Activity status: PER</u> <u>Where:</u> 1. <u>The electricity cabinet and kiosk does not exceed:</u> a. <u>2m height in relation to infrastructure;</u> <u>and</u> b. <u>13m² in area;</u> <u>and</u> 2. <u>The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):</u> a. <u>The root protection area of a notable tree;</u> <u>and</u> b. <u>SNAs.</u>	<u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>EI-MD1 - Historic heritage and the natural environment</u> <u>EI-MD2 - Amenity values, location and design</u> <u>EI-MD3 - Operational consideration</u>

<u>ELECTRICITY⁶³</u> <u>CABINETS AND</u> <u>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>
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⁶² Mainpower NZ Ltd [249.80]

⁶³ Mainpower NZ Ltd [249.9]

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

8.4 EI-R2: Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure

8.4.1 *Matters raised by submitters*

194. Seven submissions have been received on EI-R2. Four seek it be retained as notified.⁶⁴
195. Transpower [195.32] states that 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.
196. Federated Farmers [414.72] state that it is unclear whether the rule also applies to agricultural activities where the track has dual or multiple use. They state that many access tracks, particularly in the hill country, have multiple use. Submitter prefers a permitted activity status for maintenance of existing vehicle tracks where they exist across all zones and overlays.

8.4.2 *Assessment*

197. In relation to the submission from Transpower, I agree that the requested amendment will provide greater clarity and aligns with the new introductory rule which states that the overlay rules don't apply to energy and infrastructure activities.
198. In relation to the submission from Federated Farmers, I consider the rule is not applicable to agricultural activities. This rule is in the EI 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. 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.

8.4.3 *Summary of recommendations*

199. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone, [62.16],
 - Mainpower NZ Ltd [249.62],
 - Kainga Ora [325.24],
 - KiwiRail [373.24], and
 - Transpower [195.32]
200. I recommend that the submissions from the following submitters be **rejected**:

⁶⁴ Chorus, Spark and Vodafone, [62.16], Mainpower NZ Ltd [249.62], Kainga Ora [325.24], KiwiRail [373.24].

- Federated Farmers [414.72]

201. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R2 as follows and as shown in **Appendix 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: 1. the activity shall comply with Earthworks standards EW-S1 to EW-S7, as well as any Earthworks standards in any relevant overlay. ⁶⁵	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u> ⁶⁶ EI-MD9 - Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure

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

8.5.1 Matters raised by submitters

202. Four submissions have been received on EI-R4. Two seek it to be retained as notified.⁶⁷
203. In relation to EI-R4, Chorus, Spark and Vodafone [62.29] note that EI-R4 (1) requires consent as a restricted discretionary activity where it involves a customer connection being externally attached to a building that is scheduled as having historic heritage values. They seek a new controlled activity rule for customer connections to a building or structure with heritage values, with the matters of control limited to 'Design and placement of the customer connection to minimise impacts on the values and attributes of the heritage building or structure'. They also seek that subclause (5) be removed or amended so the cross-reference links to specific EI rules that are intended to apply to above ground customer connections.
204. Mr Smith [270.10] states that 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. The submitter suggests the following be added to the title of the rule 'excluding transport infrastructure'.

8.5.2 Assessment

205. I disagree with the submission from Chorus, Spark, and Vodafone seeking a change for the default activity status from restricted discretionary to controlled. As set out above, a new rule

⁶⁵ Transpower [195.32]

⁶⁶ Chorus, Spark and Vodafone [62.66]

⁶⁷ Mainpower NZ Ltd [249.64], Kainga Ora [325.31].

is proposed within the EI chapter to set out the relationship between the EI chapter, other District wide chapters, and the zones.

206. My recommendation means that 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 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. The additional matter of control proposed is already contained in EI-MD1(5).
207. 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.
208. In relation the amendment sought by Mr Smith, I note that EI-R4 relates to customer connections between infrastructure and a site, not vehicle access. 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. 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 Transport chapter provisions, such as for vehicle crossings or vehicle accessways.

8.5.3 Summary of recommendations

209. I recommend that the submissions from the following submitters be **accepted**:
- Mainpower NZ Ltd [249.64],
 - Kainga Ora [325.31].
210. I recommend that the submissions from the following submitters be **rejected**:
- Chorus, Spark and Vodafone [62.29]
 - Mr Smith [270.10]
211. I recommend that no change be made to Activity Rule EI-R4 in the EI chapter of the Proposed Plan.

8.6 EI-R6: Trimming or removal of trees and vegetation

8.6.1 Matters raised by submitters

212. Five submissions have been received on EI-R6, with three seeking it be retained as notified.⁶⁸

213. Both KiwiRail [373.26] and Transpower [195.33] seek amendments to the advisory note within EI-R6 to provide greater detail as to when the rule applies. Transpower seeks the following amendments to EI-R6:

'Advisory Notes

This rule applies to situations such as protecting the security, safe operation or maintenance of overhead lines or removing an associated potential ~~fire~~electrical risk or risk to the public, or maintaining sight lines from an intersection. ...'

214. KiwiRail seeks the addition of 'infrastructure' after 'the operation or maintenance of...'

8.6.2 Assessment

215. I agree with the submitters seeking amendments to this advisory note. I agree that the suggested amendments provide greater clarity as to when this rule applies.

216. In addition, as recommended in Section 4 above, I have recommended amending the interrelationship between the EI chapter and the TREE chapter. As a result, the rules within the TREE chapter do not apply to energy and infrastructure activities. This recommended amendment created a gap in the EI provisions for the trimming Notable Trees. To close this gap, I recommend an additional subclause be added to EI-R6 requiring that the trimming is undertaken by, or supervised by, a suitably qualified and experienced arborist, and an additional matter is added to the Advisory Notes section confirming that the removal of any notable tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7 which is consistent with the recommended 'How to interpret and apply the rules' section within the EI chapter.

8.6.3 Summary of recommendations

217. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark and Vodafone, [62.16],
- Mainpower NZ Ltd [249.66],
- KiwiRail [373.24].
- Kainga Ora [325.32].
- KiwiRail [373.26] and
- Transpower [195.33]

⁶⁸ Chorus, Spark and Vodafone, [62.16], Mainpower NZ Ltd [249.64], Kainga Ora [325.31], KiwiRail [373.24].

218. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R6 Advisory Notes as follows and as shown in **Appendix A**:

EI-R6	Trimming or removal of trees 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>⁶⁹ 	<p>Activity status when compliance not achieved: N/A</p>
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • This rule applies to situations such as protecting the <u>security</u>⁷⁰, safe operation or maintenance of <u>infrastructure</u>⁷¹ overhead lines or removing an associated potential fire <u>electrical risk or risk to the public</u>⁷², 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. • <u>The Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7.</u>⁷³ 	

⁶⁹ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

⁷⁰ Transpower [195.33]

⁷¹ KiwiRail [373.26]

⁷² Transpower [195.33]

⁷³ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

8.7 EI-R7: Freestanding pole in the road corridor

8.7.1 Matters raised by submitters

219. Two submissions were received on EI-R7. Chorus NZ [62.19] supports the provisions and seeks it be retained as notified.
220. Mainpower [249.67] supports the provision as they anticipate poles that are a part of an electricity distribution line are captured by this rule.

8.7.2 Assessment

221. The reasoning provided by Mainpower for its support, highlights a potentially confusing overlap in provisions that requires clarification. EI-R7 is not intended to apply to the activities provided for under EI-R12, EI-R17, EI-R24, EI-R26, EI-R28, EI-R29, EI-R41 or EI-R44 for example that provide for poles as part of those activities. 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.
222. An amendment to EI-R7 is therefore proposed to make this clarification. I note that this matter has not been included in the Council clause 16 of Schedule 1 to the RMA memo of 20 October 2022. In my opinion, clarification that EI-R7 is a separate provision for freestanding poles not provided for under other activities meets the test of clause 16(2) tests as it is:
- of minor effect, as poles are provided for within the permitted activities; and
 - a correction of a minor error.

8.7.3 Summary of recommendations

223. I recommend that the submissions from Mainpower [249.67] be **accepted**.
224. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R7 as follows and as shown in **Appendix A**:

EI-R7	<p>Freestanding pole in the road corridor</p> <p><u><i>This rule does not apply to poles provided for in the activities in the following rules:</i></u></p> <ul style="list-style-type: none"> - <u>EI-R12 Replacement of a pole or tower</u> - <u>EI-R17 Installation of new mid-span poles</u> - <u>EI-R24 New overhead transmission lines and electricity distribution lines and supporting poles and towers</u> - <u>EI-R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers</u> - <u>EI-R28 New overhead telecommunication lines and supporting poles</u> - <u>EI-R29 New amateur radio configurations</u> - <u>EI-R41 New small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation</u> - <u>EI-R44 New large scale wind turbine(s) for large scale renewable electricity generation⁷⁴</u>
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⁷⁴ Clause 16(2) amendment

8.8 EI-R9: Use of temporary infrastructure

8.8.1 *Matters raised by submitters*

225. Five submissions have been received on EI-R9. Two seek it be retained as notified.⁷⁵
226. Both MainPower [249.69] and Transpower [195.34] seek amendments to the matters of discretion seeking the removal of EI-MD4 and EI-MD14 and the addition of EI-M3 Operational considerations.
227. Transpower seeks the removal of EI-MD4 as they consider any matter that could be considered under EI-MD4 would also fall under EI-MD14 which is more directly relevant to EI-R9.
228. Mainpower seeks to amend EI-R9 to include transportable infrastructure.

8.8.2 *Assessment*

229. I do not support the amendments sought by Transpower. I consider the matters in EI-MD4 are more specific than those in EI-MD14 which is more general, so I consider EI-MD4 should apply in addition to EI-MD14.
230. In relation to the submission by Mainpower, I agree in part with the suggested amendment. I consider the 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. I support EI-MD3 being added to the rule as operational considerations may be relevant.

8.8.3 *Summary of recommendations*

231. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone [62.21] and,
 - NZDF [166.15]
 - Mainpower [249.69]
232. I recommend that the submissions from the following submitters be **rejected**:
233. I recommend that the EI chapter of the Proposed District Plan be adding 'EI-MD3 - Operational considerations' to the list of matters of discretion.

⁷⁵ Chorus, Spark and Vodafone, [62.21] and NZ Defence Force [166.15]

8.9 EI-R10: Installation of new infrastructure, or upgrading of existing infrastructure, underground

8.9.1 Matters raised by submitters

234. Five submissions have been received on EI-R10. Three seek it be retained as notified.⁷⁶
235. Regarding EI-R10, Chorus, Spark and Vodafone [62.30] seek clarification of Clause (1) and Clause (2), as they consider them to be unclear. They are uncertain why Clause (1) exempts new infrastructure from root protection areas, Significant Natural Areas and places adjoining the coastal marine area, while upgrades to infrastructure are subject to restrictions.
236. Transpower [195.35] seeks deletion of EI-MD2 - Amenity values, location and design, as they consider it difficult to understand how underground infrastructure will affect amenity values.

8.9.2 Assessment

237. The submission by Chorus, Spark and Vodafone [62.30] is supported. I consider restructuring and rewording of the rule is required to clarify application of clauses (1) and (2) of the rule. The recommended drafting clarifies that the same exemption applies for both installation of new infrastructure and upgrading of existing infrastructure.
238. I also agree with the submission of Transpower. I consider only Clause (4) of EI-MD2 is relevant, I recommended an amendment to EI-R10 to reflect this.

8.9.3 Summary of recommendations

239. I recommend that the submissions from the following submitters be **accepted**:
- Mainpower [249.70],
 - Kainga Ora [325.34],
 - DOC [419.35]
 - Chorus, Spark and Vodafone [62.30] and,
 - Transpower [195.35]
240. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R10 as follows and as shown in **Appendix A**:

All Zones	Activity status: PER Where: 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	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 (<u>clause 4 only</u>) ⁸⁰
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⁷⁶ Mainpower [249.70], Kainga Ora [325.34], DoC [419.35]


⁸⁰ Transpower NZ Ltd [195.35]

	<p>installations are by trenchless means, or are as specified otherwise below⁷⁷:</p> <ul style="list-style-type: none"> a. the root protection area of a notable tree, except where the installation: <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 vac or directional drilling methods; and iii. has an entry point either: <ul style="list-style-type: none"> a. located outside of the root protection area; or b. with a maximum area of less than 1m²; b. SNAs; and c. places adjoining the coastal marine area; and <p>2. <u>upgrades of existing underground infrastructure</u>⁷⁸ (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 infrastructure⁷⁹ underground infrastructure shall not increase the area occupied by the infrastructure, or realign or relocate the infrastructure, so that it further</p>	<p>EI-MD3 - Operational considerations</p>
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⁷⁷ Chorus, Spark and Vodafone [62.30]

⁷⁸ Chorus, Spark and Vodafone [62.30]

⁷⁹ Chorus, Spark and Vodafone [62.30]

encroaches into the areas listed in (1) above. 	
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8.10 EI-R11: Relocation of infrastructure

8.10.1 Matters raised by submitters

241. Three submissions have been received on EI-R11. Two seek it be retained as notified.⁸¹
242. With reference to EI-R11 and its relationship to EI-R10(2), Chorus, Spark and Vodafone [62.31] consider it difficult to understand how EI-R10(2) relates to EI-R11 with respect to relocation of infrastructure, as it is expressed as an advisory note rather than a standard. In their submission, if EI-R10(2) it is intended be a standard this should be included as such within EI-R11 and the advisory note deleted. They also seek amendment to EI-R11 which ensures it only applies to above ground infrastructure.

8.10.2 Assessment

243. In relation to the submission from Chorus, Spark and Vodafone I agree 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.

8.10.3 Summary of recommendations

244. I recommend that the submissions from the following submitters be **accepted**:
- Transpower [195.36],
 - Mainpower [249.71] and
 - Chorus, Spark and Vodafone [62.31]
245. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R11 as follows and as shown in **Appendix A**:

EI-R11	Relocation of <u>above ground</u> ⁸² infrastructure	
All Zones	Activity status: PER Where: 1. the relocation shall be within 5m of the existing alignment or location.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u> ⁸³ EI-MD10 - Relocation of existing infrastructure
	Exemption	

⁸¹ Transpower [195.36], Mainpower [249.71]

⁸² Chorus, Spark and Vodafone [62.31]

⁸³ Chorus, Spark and Vodafone [62.66]

	<ul style="list-style-type: none"> • This rule does not apply to transport infrastructure.
	<p>Advisory Note</p> <ul style="list-style-type: none"> • See also EI-R10 (2) Installation of new infrastructure, or upgrading of existing infrastructure, underground.⁸⁴

8.11 EI-R12: Replacement of a pole or tower

8.11.1 Matters raised by submitters

246. Three submissions have been received on EI-R12.

247. Transpower [195.37] seeks the following amendment to Clause (2) for consistency with the NESET:

...

2. a replacement pole or tower shall not exceed the height at the date of public notification of the District Pan buy more than 15%in relation to infrastructure of the replaced pole or tower;

...

248. Mainpower [249.72] seeks the following amendments to rule EI-R12 and associated matters of discretion to provide greater flexibility:

Replacement of a pole or tower (except where provided for under EI-R7)...

...

2. 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.

~~2.3.~~ a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower;

...

- ~~5-6.~~ a single pole may be replaced with a pi-pole or H pole for safety or structural reasons and the width of 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);

...

Matters of discretion are restricted to:

EI-MD3 Operational considerations

~~EI-MD14 – Extent of effects~~

⁸⁴ Chorus, Spark and Vodafone [62.31]

249. Federated Farmers [414.73] seek amendments to stipulate a pole or tower can only be upgraded once, otherwise consent is required. They consider the notified rule allows a gradual increase in corridor width with each upgrade without landholder permission.

8.11.2 Assessment

250. Regarding the submission by Transpower [195.37], I agree in part with the suggested amendment. I 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.
251. Regarding the submission by Mainpower I agree in part with the suggested amendments. I note 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. I consider the extent of additional height allowance requested for a replacement pole or tower (an additional 40%) is excessive as this rule applies to all poles and towers, not just electrical ones. The additional height allowance requested by Transpower (an additional 15%) which aligns with the permitted activity threshold within the NESETA⁸⁵ 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.
252. Regarding the submission by Federated Farmers [414.73], I disagree this amendment is required. Any replacement of poles or towers will still need to comply with the permitted activity rule regardless of whether it is the first, second or third replacement. In addition, the rules in the Proposed Plan cannot override any landowner permissions that are required.
253. Therefore, I consider provisions providing for the replacement of a pole or tower is appropriate.

8.11.3 Summary of recommendations

254. I recommend that the submissions from the following submitters be **accepted**:
- Transpower [195.37]
 - Mainpower [249.72]
255. I recommend that the submissions from the following submitters be **rejected**:
- Federated Farmers [414.73]
256. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R12 as follows and as shown in **Appendix A**:

⁸⁵ Permitted activity 14 condition (3)

EI-R12	Replacement of a pole or tower	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. a pole shall not be replaced with a tower; 2. 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%</u>⁸⁶; 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 (or H-pole)⁸⁷ 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>⁸⁸; 5. the footprint of a replaced <u>replacement</u>⁸⁹ tower shall not exceed the width of the <u>replaced</u>⁹⁰ 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>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>⁹¹ EI-MD14 - Extent of effects</p>

⁸⁶ Transpower NZ Ltd [195.37]

⁸⁷ Mainpower NZ Ltd [249.72]

⁸⁸ Mainpower NZ Ltd [249.72]

⁸⁹ Mainpower NZ Ltd [249.72]

⁹⁰ Mainpower NZ Ltd [249.72]

⁹¹ Chorus, Spark and Vodafone [62.66]

8.12 EI-R13: Addition to a pole or tower

8.12.1 Matters raised by submitters

257. Three submissions have been received on EI-R13. Mainpower [249.74] seek the following amendments to the rule and associated matters of discretion to provide further clarity:

Addition of equipment to a pole or tower

...

1. Equipment mounted on a support structure does not exceed a volume of 2m³
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~~
- 3-2. Equipment mounted on a support structure does not exceed the height of the existing pole or tower.
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:

EI-MD2 Amenity values, location and design

EI-MD3 Operational Considerations

~~EI-MD14 Extent of effects~~

258. Hort NZ [295.77] and Federated Farmers [414.74] both raise concern regarding adverse effects on the landowners from increased compliance with NZECP34:2001.

8.12.2 Assessment

259. Regarding the submission by Mainpower, I agree with the addition of a fixed limit of 2m³ for new equipment, although I recommend this limit is included in addition to the existing clause (1) to provide greater flexibility. I also agree in part with the amendment to clause (2) as I consider this improves the readability of the clause. I have recommended retaining 'height in relation to infrastructure' as this is a defined term in the Proposed Plan. The addition of EI-MD2 and EI-MD3 are supported, and the deletion of EI-MD14 is not accepted as the consideration of effects within EI-MD-14 is considered necessary for this activity.
260. Regarding the submission by HortNZ [295.77], 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.
261. Regarding the submission by Federated Farmers [414.74], I disagree this amendment is required for the same reasons given above for HortNZ.

262. Therefore, I consider provisions providing for the addition of equipment to a pole or tower is appropriate.

8.12.3 Summary of recommendations

263. I recommend that the submissions from the following submitters be **accepted**:

- Mainpower [249.74]

I recommend that the submissions from the following submitters be **rejected**:

- Hort NZ [295.77] and
- Federated Farmers [414.74]

264. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R13 as follows and as shown in **Appendix A**:

EI-R13	Addition to a pole or tower	
All Zones	<p>Activity status: PER Where:</p> <p><u>1A. equipment added to a pole or tower shall not exceed one of either a. or b. below:</u></p> <p><u>a. a maximum volume of 2m³; or⁹²</u></p> <p>4-b. the combined diameter or width of the existing pole or tower plus the addition of <u>equipment⁹³</u> (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point); and</p> <p><u>2. equipment added to a pole or tower shall not exceed⁹⁴ the combined height in relation to infrastructure of the existing pole or tower plus the addition shall</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>EI-MD14 - Extent of effects</p>

⁹² Mainpower [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]

not exceed that of the existing pole or tower. ⁹⁵	
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8.13 EI-R15: Replacement of an infrastructure cabinet or infrastructure building and definition of 'electricity cabinets and kiosks'

8.13.1 Matters raised by submitters

265. Three submissions have been received on EI-R15. Two seek it be retained as notified⁹⁹
266. Mainpower [249.75] seeks amendments to provide more clarity and flexibility to upgrade and replace existing infrastructure cabinets, kiosks and infrastructure buildings. They seek the following amendments:

"Replacement of an infrastructure cabinet, electricity cabinet and kiosk or infrastructure building unless provided for under new rule EI-X 'Electricity Cabinets and kiosks'."

...

1. the replacement shall not increase the footprint or the height of the existing infrastructure cabinet, electricity cabinet and kiosk or infrastructure building by more than 30%; and

2A. the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.

~~2. 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.~~

...

Matters of discretion are restricted to:

- EI-MD2 Amenity values, location and design

- EI-MD3 Operational considerations

~~-EI MD14 - Extent of effects"~~

267. As noted in the 'New Electricity Cabinets and Kiosks' section above, Mainpower [249.9] also proposes a new definition for 'electricity cabinets and kiosks'.

⁹⁵ Mainpower NZ Ltd [249.74]

⁹⁹ Chorus, Spark and Vodafone [62.23], Kainga Ora [325.35]

8.13.2 Assessment

268. I agree with the submission by Mainpower. I support the suggested amendments to clause (1) and the addition of a new clause (2A). With regards to the removal of clause (2), I agree it is not necessary to apply internal boundary setbacks and recession plane requirements to the replacement of existing infrastructure cabinets or infrastructure buildings. 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 existing infrastructure cabinet, electricity cabinet and kiosk, or infrastructure building; whereas new 'electricity cabinets and kiosks' are to be dealt with under a new separate rule.
269. The requested amendment to clause (2A) is not accepted as this would be a duplication of rule EI-R11.
270. In relation to the amendments sought to the matters of discretion, I note that EI-MD2 effectively replaces EI-MD14 therefore I support its deletion.
271. In relation to the proposed definition of 'electricity cabinets and kiosks' as set out in the 'New Electricity Cabinets and Kiosks' section above, I accepted there may be technical reasons why a definition of Electricity Cabinets and Kiosks is needed.

8.13.3 Summary of recommendations

272. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone [62.23],
 - Kainga Ora [325.35]
 - Mainpower [249.75] [249.9]
273. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R15 and adding a definition of 'Electricity cabinets and kiosks' as follows and as shown in **Appendix A**:

EI-R15	Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u> ¹⁰⁰ , or infrastructure building
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¹⁰⁰ Mainpower NZ Ltd [249.75]

All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the replacement shall not increase the footprint <u>or height in relation to infrastructure</u>¹⁰¹ of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u>¹⁰², or infrastructure building by more than 30%; and 2. 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 APP3.¹⁰³ <p><u>2A the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u>¹⁰⁴</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD1 - Historic heritage and the natural environment</u>¹⁰⁵ <u>EI-MD2 – Amenity values, location and design</u>¹⁰⁶ <u>EI-MD3 - Operational considerations</u>¹⁰⁷ <u>EI-MD14 - Extent of effects</u>¹⁰⁸</p>
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¹⁰¹ Mainpower NZ Ltd [249.75]

¹⁰² Mainpower NZ Ltd [249.75]

¹⁰³ Mainpower NZ Ltd [249.75]

¹⁰⁴ Mainpower [249.75]

¹⁰⁵ Mainpower [249.97]

¹⁰⁶ Mainpower NZ Ltd [249.75]

¹⁰⁷ Chorus, Spark and Vodafone [62.66]

¹⁰⁸ Mainpower NZ Ltd [249.75]

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

8.14.1 Matters raised by submitters

274. Five submissions have been received on EI-R16. Two seek it be retained as notified¹⁰⁹
275. Mainpower [2249.76] seeks amendments to provide clarity around the relationship with EI-R24, which deals with new overhead lines and supporting poles and towers. Mainpower seeks the word 'addition' should have its definition amended so that it applies to the context of this rule, or a different word should be chosen. Mainpower notes that currently 'addition' only references buildings. Mainpower also requests that the activity status when compliance is not achieved, be amended from restricted discretionary to controlled. Mainpower seeks the following amendments to EI-R16:

"Upgrading and expansion of above-ground network utilities ~~lines, ducts, cables and pipes~~

Activity status: PER

1. Upgrading or expansion of existing above ground network utilities, except where provided for under Rule EI-24

Where:

2. upgrading is by:

- a. ~~the addition of~~ adding wires, cables, circuits or conductors;
- b. the re-conductoring of the line with higher capacity conductors; c. the re-sagging of conductors;
- c. ...
- d. ~~the addition of~~ installing longer or more efficient insulators;
- e. ~~the addition of~~ adding cross arms;
- f. the bundling of lines (in the absence of cross arms);
- g. ~~the addition of~~ installing earth wires (which may contain telecommunication lines, earthpeaks and lightning rods);
- h. ~~their~~ replacement of any of the above;

...

Activity status when compliance not achieved: ~~RDIS~~ CON

Matters of discretion are restricted to:

- EI-MD3 Operational considerations
- ~~EI-MD14~~ Extent of effects"

¹⁰⁹ Transpower [195.38], Kainga Ora [325.36]

276. Hort NZ [295.78] seeks to amend EI-16 by adding the following additional clause:
7. there are no increased compliance requirements with NZECP34.2001 for landowners.
277. Hort NZ also seeks for amendments to be made 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 compliant requirements.
278. Federated Farmers [414.75] consider EI-16 fails to anticipate the effects on the transmission corridor and seeks the deletion of its permitted status. Instead they consider a restricted discretionary rule is more appropriate, which restricts activities to "EI-MD14 – Extent of effects".

8.14.2 Assessment

279. Regarding the submission by Mainpower I consider the relationship between EI-R16 and EI-R24 is already clear. EI-R16 deals with certain minor technical upgrades to existing above ground lines, ducts, cables and pipes. EI-R24 deals with new overhead lines and support structures. These are two different circumstances. Therefore, the requested new clause (1) is unnecessary.
280. I agree the amendments suggested to sub-clauses 1(a), (d), (e), (g) and (h) help with readability and are accepted. The 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.
281. Changing activity status when compliance is not achieved from restricted discretionary to controlled is not supported. I consider this will create an inconsistency with the rest of the EI provisions where activity status when compliance is not achieved is predominantly restricted discretionary. 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.
282. Regarding the submission by Hort NZ [295.78], 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.
283. Finally, regarding the submission by Federated Farmers 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 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.

8.14.3 Summary of recommendations

284. I recommend that the submissions from the following submitters be **accepted**:

- Transpower [195.38],
- Kainga Ora [325.36]
- Mainpower [2249.76]

285. I recommend that the submissions from the following submitters be **rejected**:

- Hort NZ [295.78]
- Federated Farmers [414.75]

286. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R16 as follows and as shown in **Appendix A**:

EI-R16	Upgrading above-ground lines, ducts, cables and pipes	
All Zones	Activity status: PER Where: 1. upgrading is by: <ol style="list-style-type: none"> a. the addition of <u>adding</u>¹¹⁰ 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>¹¹¹ longer or more efficient insulators; e. the addition of <u>adding</u>¹¹² of cross arms; f. the bundling of lines (in the absence of cross arms); g. the addition of <u>adding</u>¹¹³ earth 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u> ¹¹⁴ EI-MD14 - Extent of effects

¹¹⁰ Mainpower NZ Ltd [249.76]

¹¹¹ Mainpower NZ Ltd [249.76]

¹¹² Mainpower NZ Ltd [249.76]

¹¹³ Mainpower NZ Ltd [249.76]

¹¹⁴ Chorus, Spark and Vodafone [62.66]

	<p>wires (which may contain telecommunication lines, earthpeaks and lightning rods); or</p> <p>h. their replacement <u>of any of the above</u>;</p> <p>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;</p> <p>3. additional conductors or lines:</p> <p>a. shall not increase the number of conductors or lines by more than 100%; and</p> <p>b. shall each have a maximum diameter of 50mm;</p> <p>4. additional cross arms shall not exceed the length of an existing cross arm by more than 100%, up to a maximum of 4m;</p> <p>5. the bundling of lines (in the absence of cross arms) shall not exceed 100mm in total; and</p> <p>6. the diameter of a replacement above-ground duct or pipe shall not exceed the diameter of the existing above-ground duct or pipe by more than 300mm.</p>	
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8.15 EI-R18: Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts

8.15.1 Matters raised by submitters

287. Two submissions have been received on EI-R18. One seeks it be retained as notified.¹¹⁵
288. Chorus, Spark and Vodafone [62.32] seek deletion of Clause (1)(a) and Clause (1)(c). They consider Clause (1)(a) conflicts with obligations of other agencies which require reduced flood clearances, and in relation to Clause (1)(c) they consider it an unreasonable limitation given the requirements of different infrastructure providers which may prove difficult to monitor and enforce over time.

8.15.2 Assessment

289. I agree in part with the submission of Chorus, Spark and Vodafone. 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 amendments have been recommended to the rule to remove the requirement that pipes, cables, conductors or lines must be attached to the underside of the structure and providing flexibility and not limiting the number of conduits, ducts or pipes that can be clustered.


8.15.3 Summary of recommendations

290. I recommend that the submissions from the following submitters be **accepted**:
- Mainpower [249.78]
 - Chorus, Spark and Vodafone [62.32]
291. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R18 as follows and as shown in **Appendix A**:

EI-R18	Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	
All Zones	Activity status: PER Where: <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 the¹¹⁶ bridge, or incorporated within the bridge, tunnel or culvert structure, or within an existing attached conduit, duct or pipe; 	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 consideration

¹¹⁵ Mainpower [249.78]

¹¹⁶ Chorus, Spark and Vodafone [62.32]

	<p>b. the maximum diameter of any new conduit, duct or pipe shall be 300mm; <u>and</u></p> <p>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; and¹¹⁷</p> <p>d. shall not be attached to a bridge, tunnel or culvert with heritage values.</p> 	
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8.16 EI-R19: New infrastructure cabinet

8.16.1 Matters raised by submitters

292. Two submissions have been received on EI-R19. One seeks it be retained as notified.¹¹⁸

293. Mainpower [249.79] seek amendments to EI-P19 which separates electricity cabinets and kiosks from this rule, instead providing for them in a new rule, and inserting a new EI-R19(1) as follows:

1. New infrastructure cabinet, except where provided for under Rule EI-XX.

~~1.2.~~ a new above-ground *infrastructure cabinet* shall not exceed the following:

...

8.16.2 Assessment

294. I note that a new rule for 'electricity cabinets and kiosks' is recommended and also the definition for 'infrastructure cabinet' is recommended to be amended to exclude 'electricity cabinets and kiosks' as follows:

'ELECTRICITY CABINETS AND KIOSKS: 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.'

¹¹⁷ Chorus, Spark and Vodafone [62.32]

¹¹⁸ Chorus, Spark and Vodafone [62.24]

'INFRASTRUCTURE CABINET: means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, or electricity cabinet and kiosk.'

295. Given this, I disagree the proposed amendments are necessary.

8.16.3 Summary of recommendations

296. I recommend that the submissions from the following submitters be **accepted**:

- Chorus, Spark and Vodafone [62.24]

297. I recommend that the submissions from the following submitters be **rejected**:

- Mainpower [249.79]

298. I recommend that no change be made to Activity Rule EI-R19 in the EI chapter of the Proposed Plan

8.17 EI-R20: New infrastructure building

8.17.1 Matters raised by submitters

299. Two submissions have been received on EI-R20. One seeks it be retained as notified.¹¹⁹

300. Mainpower [249.81] seek amendments to Clause (1) to ensure it does not apply to equipment covered under the new rule sought by submitter's submission for electricity cabinets or kiosks or rule EI-R25.

8.17.2 Assessment

301. I disagree the proposed amendments are necessary. I note that a new rule for 'electricity cabinets and kiosks' is recommended and the definition for 'infrastructure' is to be amended to exclude 'electricity cabinets and kiosks'. 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 rule EI-R20).

8.17.3 Summary of recommendations

302. I recommend that the submissions from the following submitters be **accepted**:

- Kainga Ora [325.37]

303. I recommend that the submissions from the following submitters be **rejected**:

- Mainpower [249.79]

304. I recommend that no change be made to Activity Rule EI-R20 in the EI chapter of the Proposed Plan

¹¹⁹ Kainga Ora [325.37]

8.18 EI-R23: Construction of new vehicle access tracks ancillary to infrastructure which are located in specified sensitive environments

8.18.1 Matters raised by submitters

305. Three submissions have been received on EI-R23. Two seek it be retained as notified.¹²⁰
306. Transpower [195.40] seek amendments to EI-R23, 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. Transpower seeks the following amendments:

"EI-R23 Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure that ~~which~~ are located in specified sensitive environments."


8.18.2 Assessment

307. Regarding the submission by Transpower [195.40], I agree with suggested amendment. The amendment is considered appropriate in the 'sensitive environments' specified in the rule.

8.18.3 Summary of recommendations

308. I recommend that the submissions from the following submitters be **accepted**:

- Mainpower [249.83]
- DOC [419.36]
- Transpower [195.40]

EI-R23	Construction of new, <u>or widening or extension of existing</u>¹²¹, vehicle access tracks ancillary to infrastructure which <u>that</u>¹²² are located in specified sensitive environments	
All Zones	Activity status: RDIS Where: 1. the new vehicle access track is located within the following areas: a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; c. natural character of scheduled freshwater bodies setbacks; 	Activity status when compliance not achieved: N/A

¹²⁰ Mainpower [249.83], DoC [419.36]

¹²¹ Transpower NZ Ltd [195.40]

¹²² Transpower NZ Ltd [195.40]

<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.</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

8.19 EI-R24: New overhead transmission lines and electricity distribution lines and supporting poles and towers

8.19.1 Matters raised by submitters

309. Four submissions have been received on EI-R24. Three seek it be retained as notified.¹²³

310. Federated Farmers [414.76] oppose EI-R24 (3) permitted standard of a 18 metre pole height for urban areas, and a 25 metre height for rural areas. Federated Farmers seeks an amendment of either EI-R24 (3)(a) to 25m, or (3)(b) to 18m. Federated Farmers also seeks to add additional matter of discretion EI-MD17.

8.19.2 Assessment

311. Regarding the submission by Federated Farmers, I disagree the requested amendments to the maximum permitted height of supporting poles and towers are required. 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 than in the other zones (i.e. the rural, commercial, or

¹²³ Transpower [195.41], Mainpower [249.84], Kainga Ora [325.38]

industrial zones) thus a lower height for supporting poles and towers is proposed. This is the same for other types of structures in these areas.

312. 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 are considered to have less ‘sensitive’ levels of amenity thus a greater height for supporting poles and towers may be more acceptable. Finally, the submitter has not included within their submission a new matter of discretion EI-MD17.

8.19.3 Summary of recommendations

313. I recommend that the submissions from the following submitters be **accepted**:
- Transpower [195.41],
 - Mainpower [249.84],
 - Kainga Ora [325.38]
314. I recommend that the submissions from the following submitters be **rejected**:
- Federated Farmers [414.76]
315. I recommend that no change be made to Activity Rule EI-R24 in the EI chapter of the Proposed Plan

8.20 EI-R25: Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)

8.20.1 Matters raised by submitters

316. Five submissions have been received on EI-R24. Three seek it be retained as notified.¹²⁴
317. Mainpower [249.85] seeks amendments to EI-R25 to provide further clarity. Mainpower also notes that transformers are mentioned in a number of rules, and states that the rules could be rationalised. Mainpower seeks the following:

1. The establishment of a new, or expansion of any existing substation, switching station or energy storage batteries (not enclosed within a building).

Where:

2. The activity does not exceed an area of:

- a. 300m² in the General Rural Zone
- b. 40m² in any other zone.

~~3. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity transmission and electricity distribution;~~

~~4. the activity shall comply with the following when located in the road corridor:~~

¹²⁴ Transpower [195.42], Kainga Ora [325.39], DoC [419.37]

- a. ~~maximum floor area (excluding plinths or foundations): 10m²;~~
- b. ~~maximum height in relation to infrastructure: 3m;~~
5. ~~the activity shall comply with the following when located outside the road corridor:~~
- 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 relation to boundary and internal boundary setbacks for the zone or adjoining zone; and~~
- ..."

318. Federated Farmers [414.77] states that there is no requirement for landholder consultation, even when a consent is triggered. Federated Farmers seeks to add additional matter of discretion EI-MD17.

8.20.2 Assessment

319. Regarding the submission by Mainpower [249.85], I agree in part with the decision requested. I accepted there is scope to improve the readability of the rule, and amendments are recommended to achieve this. I consider increasing the area when located outside the road corridor from 30m² to 40m² is accepted. However, the other amendments requested are not accepted. There would be no constraint on height which I consider is necessary to ensure the character and amenity of the relevant zone is retained. Retaining internal boundary setback and recession plane requirements when located outside the road corridor and adjoining Residential-type zones is assists 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.
320. As set out in the assessment of EI-R35 below, I have recommended deleting both EI-R25 and EI-R35 and merging them into one new rule located in the 'General' suite of rules (rather than the same rule being repeated in both the 'Electricity transmission and electricity distribution' suite and the 'Communication facilities' suite). It is recommended that the proposed merged rule adopt the drafting suggestions supported in the paragraph above.
321. Regarding the submission by Federated Farmers the decision requested is not supported. I consider the matters of discretion are only triggered within a consent framework. If the effects of the activity are such that the effects on a landowner will be more than minor consultation with landowners 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.

8.20.3 Summary of recommendations

322. I recommend that the submissions from the following submitters be **accepted**:
- Transpower [195.42],

- Kainga Ora [325.39],
- DOC [419.37], and
- Mainpower [249.85]

323. I recommend that the submissions from the following submitters be **rejected**:






- Federated Farmers [414.77]

324. I recommend that the EI chapter of the Proposed District Plan be amended to delete EI-R25 and insert a new rule EI-R19B as follows and as shown in **Appendix A**:

<u>EI-R19B</u>	<u>New, or expansion of existing, transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)</u> ¹²⁵	
	<p>This rule does not include:</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-R19A</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> <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):</u> <u>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:</u> <u>5.5m;</u> <u>maximum floor area (excluding plinths or foundations):</u> <u>40m²;</u> 	<p><u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u></p> <p><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>¹²⁶</p>

¹²⁵ Mainpower NZ Ltd [249.87]

¹²⁶ 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> <p style="padding-left: 20px;">a. <u>the root protection area of a notable tree;</u> </p> <p style="padding-left: 20px;">b. <u>SASM;</u> </p> <p style="padding-left: 20px;">c. <u>SNAs;</u> </p> <p style="padding-left: 20px;">d. <u>ONF, ONL and SAL;</u></p> <p style="padding-left: 20px;">e. <u>areas of ONC, VHNC and HNC;</u></p> <p style="padding-left: 20px;">f. <u>natural character of scheduled freshwater bodies setbacks;</u> </p> <p style="padding-left: 20px;">and</p> <p style="padding-left: 20px;">g. <u>places adjoining the coastal marine area.</u> </p>	
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Activity Rules – Communications facilities

8.21 EI-R26: New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers

EI-R28: New overhead telecommunication lines and supporting poles

8.21.1 Matters raised by submitters

325. Chorus, Spark and Vodafone [62.33] [62.34] seek amendments to EI-R26 (4)(a) and EI-R28 (3)(a) to include reference to adjoining roads.
326. One submission has been received on EI-R28, seeking it be retained as notified.¹²⁷

8.21.2 Assessment

327. I agree with the amendment sought by Chorus, Spark and Vodafone as the drafting aligns with the drafting within EI-R26 4(b) and EI-R28 3(b).

8.21.3 Summary of recommendations

328. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone [62.33] [62.34]
 - Kainga Ora [325.40]
329. I recommend that the EI chapter of the Proposed District Plan be amending EI-R26(4)(a) and EI-R28(3)(a) as follows:
4. any headframe shall have the following maximum diameter in:
 - a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) and the adjoining road corridor¹²⁸: 2.5m;
 3. supporting poles shall comply with the following maximum height in relation to infrastructure in:
 - a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) and the adjoining road corridor¹²⁹: 18m; and

8.22 EI-R29: New amateur radio configurations and 'amateur radio configurations' definition

8.22.1 Matters raised by submitters

330. Two submissions have been received on EI-R29.

¹²⁷ Kainga Ora [325.40]

¹²⁸ Chorus, Spark and Vodafone [62.33]

¹²⁹ Chorus, Spark and Vodafone [62.34]

331. The New Zealand Association of Radio Transmitters [157.1] seek to amend provisions relating to provision for amateur radio configurations as it is stated that 'aspects of these are overly restrictive.' The following is submitted:

- Amend provisions relating to provision for amateur radio configurations as aspects of these are overly restrictive.
- Change the Definition of 'amateur radio configurations', to "means antennas, aerials and associated ~~poles~~ support structures which are owned and ~~used~~ operated by licensed amateur radio operators."
- 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.
- Provide for secondary support structures with a maximum height of 14m, where any antenna mounted on these structures have a maximum length of 3m.
- 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.
- 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.
- 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.
- 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.
- Exempt poles from height in relation to boundary requirements but still subject to boundary setbacks.

332. The Waimakariri District Council [367.16] submits the following:

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 and;

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; and."

8.22.2 Assessment

333. The submission by New Zealand Association of Radio Transmitters is supported in part. The basis for the rule and related definition as notified, was equivalent provisions in the operative Christchurch District Plan. I agree in part with the suggested amendments to the definition to replace 'used' with 'operated'. I also support the addition of 'support structures', However, rather than removing reference to poles I consider it would be clearer to refer to 'support structures including poles'. I consider these amendments add clarity to the definition.
334. A variety of amendments to the rule are proposed to give effect to the other relief sought. The recommended rule amendments recognise that occasionally support structures for antennas other than poles may be used, such as a building. However, 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.
335. Regarding the submission by WDC, I support the decision requested. I note that the rule has been more substantially amended as a result of the submission from New Zealand Association of Radio Transmitters, amendments supported achieve the relief sought by WDC.

8.22.3 Summary of recommendations

336. I recommend that the submissions from the following submitters be **accepted**:
- The New Zealand Association of Radio Transmitters [157.1]
 - Waimakariri District Council [367.16]
337. I recommend that the EI chapter of the Proposed District Plan be amended by changing the wording of EI-R29 and the definition of 'amateur radio configurations' as follows and as shown in **Appendix A**:

EI-R29	New amateur radio configurations	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. the maximum height in relation to infrastructure of any pole shall be 20m; <p><u>1A any part of a pole above 5m height in relation to infrastructure shall have a maximum diameter of 50mm¹³⁰</u></p> <p><u>1B unless otherwise specified below, poles shall be exempt from</u></p>	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

¹³⁰ New Zealand Association of Radio Transmitters, Inc. [157.1]

<p><u>height in relation to boundary requirements but remain subject to boundary setbacks for the zone;</u>¹³¹</p> <p>2. there shall be a maximum of one pole per site;¹³²</p> <p>3. any antenna other than a simple wire dipole <u>or dish antenna</u>¹³³ shall 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>¹³⁴ shall comply with the following:</p> <ul style="list-style-type: none"> a1. <u>there shall be no more than one such dish antenna;</u> a. <u>the dish antenna shall have</u>¹³⁵ a maximum diameter of: 5m; b. <u>the dish antenna shall be pivoted at</u> less than 4m 	
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¹³¹ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹³² Waimakariri District Council [367.16]

¹³³ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹³⁴ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹³⁵ New Zealand Association of Radio Transmitters, Inc. [157.1]

<p>above the ground level;</p> <p>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>¹³⁶ shall comply with building height in relation to boundary and boundary setbacks for the zone or adjoining zone; and</p> <p>d. a maximum of one dish antenna per site.¹³⁷</p> <p>5. <u>any dish antenna with a maximum diameter of less than 2m shall comply with the following:</u></p> <p>a. <u>there shall be no more than two such dish antennas;</u></p> <p>b. <u>such dish antennas may be mounted on poles or a building;</u></p> <p>c. <u>such dish antennas shall not exceed a maximum height in relation to infrastructure of 14m;</u></p> <p>d. <u>such dish antennas shall be exempt from height in</u></p>	
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¹³⁶ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹³⁷ Waimakariri District Council [367.16]

	<u>relation to boundary requirements but remain subject to boundary setbacks for the zone;</u> ¹³⁸	
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AMATEUR RADIO CONFIGURATIONS	means the antennas, aerials, and associated <u>support structures</u> ¹³⁹ <u>including</u> poles which are owned and used operated ¹⁴⁰ by licensed amateur radio operators.
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Activity Rules – Fuel and energy

8.23 EI-R35: Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)

8.23.1 Matters raised by submitters

338. Two submissions have been received on EI-R35. One seeks to retain as notified.¹⁴¹
339. Mainpower [249.87] opposes EI-R35 as it is stated it is a direct duplication of EI-R25. Mainpower seeks to delete EI-R35 in its entirety.

8.23.2 Assessment

340. EI-R35 is not a direct duplication of EI-R25. EI-R25 is part of the suit of 'Activity Rules' that manage 'Electricity transmission and electricity distribution'. EI-R35 is part of the suit of 'Activity Rules' that manage that 'Communication facilities'. That said, I agree these rules can be merged 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. As such, I recommend the deletion of EI-R25 and EI-R35 and recommend a new rule EI-R19B be included after EI-R19 that manages all new, or expansion of existing, transformers, substations, switching stations, and energy storage batteries (not enclosed within a building).

8.23.3 Summary of recommendations

341. I recommend that the submissions from the following submitters be **accepted**:
- DOC [419.41]
 - Mainpower [249.87]

¹³⁸ New Zealand Association of Radio Transmitters, Inc. [157.1]

¹³⁹ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

¹⁴⁰ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

¹⁴¹ DoC [419.41]

342. I recommend that the EI chapter of the Proposed District Plan be amended to delete EI-R35 and insert a new rule EI-R19B as follows and as shown in **Appendix A** and within the recommendation section of EI-R25 above.

8.24 EI-R36: New permanent emergency or back -up electricity generation

8.24.1 Matters raised by submitters

343. One submission has been received on EI-R36.
344. Mainpower [249.88] seeks amendments to the matters of discretion. Amendments sought are as follows:

Matters of discretion are restricted to:

EI-MD3- Operational considerations

~~EI-MD14—Extent of effects~~

8.24.2 Assessment

345. I disagree with the amendment suggested by Mainpower. I consider this matter of discretion allows for consideration of effects, including cumulative effects, which is enables consideration of structures greater than permitted activity standards for a new permanent land use.

8.24.3 Summary of recommendations

346. I recommend that the submissions from Mainpower [249.88] be **rejected**.
347. I recommend that no change be made to Activity Rule EI-R36 in the EI chapter of the Proposed Plan.

Activity Rules – Renewable energy

8.25 EI-R41: New small scale wind turbine(s) for small scale or community scale renewable electricity generation

8.25.1 Matters raised by submitters

348. Three submissions have been received on EI-R41. One seeks to retain as notified.¹⁴²
349. WDC [367.50] [367.51] seek an amendment to clarify rule is for free standing wind turbines. The proposed amendment to the title is as follows:
- "New small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation"

¹⁴² Canterbury Regional Council [316.25]

350. DOC [419.47] states that wind turbines should be excluded from Significant Natural Areas. DOC therefore seeks to amend EI -R41(6) by adding 'c.SNAs;' as an additional sub-clause to clause (6).

8.25.2 Assessment

351. Regarding the submission from WDC, the amendment is supported. I consider the suggested amendment distinguishes the rule from a new rule providing for small scale roof mounted wind turbines which will help give effect to the NPSREG.
352. Regarding the submission from the DOC, the amendment is supported. I agree that as SNAs are sensitive environments and small scale free standing wind turbine should require consent in these locations.

8.25.3 Summary of recommendations

353. I recommend that the submissions from the following submitters be **accepted**:
- WDC [367.50]
 - DOC [419.47]
354. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R41 as follows and as shown in **Appendix A**:

EI-R41	New small scale <u>free standing and roof mounted</u>¹⁴³ wind turbine(s) for small scale or community scale renewable electricity generation	
All Zones	Activity status: PER Where: 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: 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	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 EI-MD4 - Health and safety EI-MD5 - Electricity generation

¹⁴³ Waimakariri District Council [367.50]

	<p>c. any surplus of electricity generated may be distributed to the electricity distribution network;</p> <p>3. if standard (2)(a) above applies, a maximum of one wind turbine shall be erected on a site;</p> <p>4. if standard (2)(b) above applies, a maximum of one wind turbine shall be erected for each site, with either one turbine 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>,¹⁴⁴</p> <p>6. the activity shall not be located in the following areas:</p> <ul style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; c. <u>SNA's</u>¹⁴⁵; <p>7. <u>for free standing wind turbines</u>:¹⁴⁶</p> <ul 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 	
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¹⁴⁴ Clause 16(2)

¹⁴⁵ Department of Conservation [419.47]

¹⁴⁶ Waimakariri District Council [367.50]

<p>infrastructure of each wind turbine (including the full extent of blades) is 20m.</p> <p>8. <u>for roof mounted wind turbines:</u></p> <p>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>b. <u>there shall be no more than one wind turbine per building;</u> <u>and</u></p> <p>c. <u>the wind turbine shall be exempt from height in relation to boundary requirements.</u>¹⁴⁷</p>	
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8.26 EI-R42: New solar hot water systems

8.26.1 Matters raised by submitters

355. Three submissions have been received on EI-R42. Two seek to retain as notified.¹⁴⁸

356. Daiken NZ [145.17] wishes 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. The submission seeks:

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):

'...

1A. the activity involves the installation, maintenance, upgrading or removal of a solar hot water heating system in the circumstances specified below;

¹⁴⁷ Waimakariri District Council [367.50]

¹⁴⁸ Canterbury Regional Council [316.26], Kainga Ora [325.41]

1B. the hot water generated is either:

- 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;

1. ...

8.26.2 Assessment

357. The submission by Daiken NZ is supported. I 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.

8.26.3 Summary of recommendations

358. I recommend that the submissions from Daiken NZ [145.17] be **accepted**.

359. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R42 as follows and as shown in **Appendix A**:

EI-R42	New solar hot water systems	
All Zones	<p>Activity status: PER Where:</p> <p><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><u>1B the hot water generated is solely for use on a site and ancillary to the principal use of the site.</u>¹⁴⁹</p> <p>1. 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):</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-MD14 - Extent of effects</p>

¹⁴⁹ Daiken NZ [145.17]

<p>a. on new buildings, shall comply with 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 (1) above that already breaches the applicable height in relation to boundary requirement, the solar hot water system may also breach it; or</p> <p>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> <p>2. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values.</u>¹⁵⁰.</p>	
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8.27 New rules for large scale solar electricity generation

8.27.1 Matters raised by submitters

360. WDC [367.15] seek a new rule be added to the Proposed Plan to provide for large scale solar electricity generation as a restricted discretionary activity.

¹⁵⁰ Clause 16(2)

8.27.2 Assessment

361. In relation to the addition of a large-scale solar electricity generation rule, the suggested amendment is supported. I note that EI-R41 provides for new small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation as a permitted activity. EI-R44 then provides for new large scale wind turbine for large scale renewable electricity generation as a restricted discretionary activity. But there is not corresponding restricted discretionary activity rule for large scale solar electricity generation. The suggested amendment will resolve this and align with the activity status of EI-R44.

8.27.3 Summary of recommendations

362. I recommend that the submissions from WDC [367.15] [367.51] be **accepted**.
363. I recommend that the EI chapter of the Proposed District Plan be amended by including a new rule EI-R44A as follows and as shown in **Appendix A**:

<u>EI-R44A</u>	<u>Large scale solar electricity generation</u> ¹⁵¹	
All Zones	<p><u>Activity status: RDIS</u> <u>Where:</u></p> <ol style="list-style-type: none"> 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 generation provided for in EI-R40.</u> <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>	<p><u>Activity status when compliance not achieved: N/A</u></p>

¹⁵¹ Waimakariri District Council [367.15]

Activity Rules – Water, wastewater, stormwater

8.28 EI-R45: Requirement to connect to water supply, wastewater system or stormwater infrastructure

8.28.1 Matters raised by submitters

364. Six submissions were received on EI-R45. Three seek to retain as notified¹⁵²
365. David Whitfield [96.1] opposes the proposal of water, sewage and storm water provision to Golf Links Road. The submission states 'Provide water, sewage and stormwater to Golf Links Road from the proposed subdivision at 52 Kippenberger Avenue'.
366. Daiken NZ [145.18] seeks to amend EI-R45 so that it does not apply to Daiken NZ Ltd'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. The submission states that 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. The submitter seeks an exclusion from EI-R45(1) and (2) as follows:
- 'except that this rule shall not apply to the HIZ located between Upper and Lower Sefton Roads.'
367. The WDC [367.24] seeks to delete the maximum distance requirement from EI-R45(1)(b)(iii)(b) so that rural subdivision is not limited to 1km for connection.

8.28.2 Assessment

368. Regarding the submission by David Whitfield, the decision requested is rejected as this is not a matter for the district plan. This is an operational matter the submitter should pursue with the District Council engineers.
369. Regarding the submission by Daiken NZ Ltd, I 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. As such, I agree with the submitters suggested amendment.
370. Regarding the submission by the Waimakariri District Council, the suggested deletion is accepted as this will remove an unforeseen constraint on extension of reticulated services.

8.28.3 Summary of recommendations

371. I recommend that the submissions from the following submitters be **accepted**:
- Fire and Emergency NZ [303.13],
 - Canterbury Regional Council [316.27],
 - Kainga Ora [325.42]

¹⁵² Fire and Emergency NZ [303.13], Canterbury Regional Council [316.27], Kainga Ora [325.42]

- Daiken NZ [145.18]
- WDC [367.24]

372. I recommend that the submission from David Whitfield [96.1] be **rejected**.

373. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R45 as follows and as shown in **Appendix A**:

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> ¹⁵³

8.29 EI-R47: New rainwater collection systems for non-potable use

8.29.1 Matters raised by submitters

374. One submission was received on EI-R47.

375. Kainga Ora [325.44] seeks to amend EI-R47 to delete internal boundary reference and to amend the reference and title. The amendments are as follows:

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.

8.29.2 Assessment

376. Regarding the submission by Kainga Ora, the suggested amendment is not supported as it would provide less certainty than the current proposed rule as road boundary and internal boundary are separately defined terms.

8.29.3 Summary of recommendations

377. I recommend that the submissions from Kainga Ora [325.44] be **rejected**.

378. I recommend that no change be made to Activity Rule EI-R47 in the EI chapter of the Proposed Plan

8.30 EI-R48: Requirement to provide water supply for firefighting

8.30.1 Matters raised by submitters

379. Two submissions were received on EI-R48. One seeks to retain as notified.¹⁵⁴

¹⁵³ Daiken NZ [145.18]

¹⁵⁴ Fire and Emergency NZ [303.15]

380. Mainpower [249.91] seeks clarification as to whether the rule applies to network utility infrastructure which meet the definition of 'building.' The proposed amendments are as follows:

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 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; or ..."

8.30.2 Assessment

381. The amendment sought by Mainpower is supported, as the proposed definition for 'infrastructure building' includes reference to this not being a habitable building.

8.30.3 Summary of recommendations

382. I recommend that the submissions from the following submitters be **accepted**:

- Fire and Emergency NZ [303.15]
- Mainpower [249.91]

383. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R48(1) as follows and as shown in **Appendix A**:

1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and infrastructure buildings¹⁵⁵ that are not habitable buildings) via the District Council's reticulated water supply (where available)...

Activity Rules – Irrigation/stockwater networks

8.31 EI-R49: Maintenance, repair, and upgrade of existing community scale irrigation/stockwater networks

8.31.1 Matters raised by submitters

384. Two submissions were received on EI-R49. One seeks to retain as notified.¹⁵⁶

385. Federated Farmers [414.78] seeks a catch-all standard of a controlled activity if a catch-all is needed. The submission also seeks clarity of definition between 'upgrade', 'extension' and 'new'. If required, amend to have catch-all standard of controlled activity. Clarity is required between 'upgrade', 'extension' and 'new'.

8.31.2 Assessment

386. For most rules I agree that a default activity status is required for activities that breach the permitted requirements. However, based on the way the proposed rule is currently drafted I disagree the amendment sought by Federated Farmers is required. I note that non-compliance with the permitted activity standard would only be via the extension or expansion of an

¹⁵⁵ Mainpower NZ Ltd [249.91]

¹⁵⁶ Horticulture NZ [295.79]

existing network or development of a new network, in which case the activity would come under EI-R50. An example of an 'upgrade' that did not involve 'extension or expansion' of an existing network, might involve, for example, replacing an existing storage tank with a new one of the same or similar scale and capacity in the same or a similar location. '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.

8.31.3 Summary of recommendations

387. I recommend that the submission from Federated Farmers [414.78] be **rejected**.
388. I recommend that no change be made to Activity Rule EI-R49 in the EI chapter of the Proposed Plan

8.32 EI-R50: New, or extension or expansion of existing, community scale irrigation/stockwater networks

8.32.1 Matters raised by submitters

389. Federated Farmers [414.79] request the activity status of new, or extension or expansion of existing, community scale irrigation/stockwater networks be a restricted discretionary activity. The submission notes that the Canterbury Land and Water Regional Plan contains many similar rules for this activity.

8.32.2 Assessment

390. I disagree the suggested amendment is required. I consider a discretionary activity status for new, or expansion or extension of an existing, community scale irrigation/stock water network is appropriate, given the nature and scale of the projects that could be contested under this rule and that a broad range of effects are able to be considered.

8.32.3 Summary of recommendations

391. I recommend that the submission from Federated Farmers [414.79] be **rejected**.
392. I recommend that no change be made to Activity Rule EI-R50 in the EI chapter of the Proposed Plan

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

8.33 EI-R51: Activities and development (other than earthworks) within a National Grid Yard Matters raised by submitters

393. Five submissions were received on EI-R51, all of which were seeking amendments.¹⁵⁷
394. Transpower [195.43], seeks amendments to better give effect to the NPSET Policies 10 and 11 and Policy 16.3.4 of the RPS, to be more consistent with Hurunui District, Selwyn District and

¹⁵⁷ Transpower [195.43], Horticulture NZ [295.80], Kainga Ora [325.45], Federated Farmers [414.80], Federated Farmers [414.81],

Christchurch City, and improve readability of the rule. Transpower seeks the following amendments:

"Activity status: PER

Where:

1. the activity is not a sensitive activity;
 2. buildings or structures comply with NZECP34: 2001 and are:
 - a. for a network utility; or
 - b. a fence not exceeding 2.5m in height above ground level; or
 - c. a non-habitable building or structure used for agricultural and horticultural activities including irrigation that is not 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;
 - 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;
 3. A building or structure provided for by (2)(a) to (d) must:
 - a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;
 - b. not permanently obstruct existing vehicle access to a National Grid support structure;
 - 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 6 metres from the outer visible edge of a foundation of a National Grid support structure."
395. Hort NZ [295.80] opposes inclusion of mobile irrigation equipment and reticulation and storage of water within 12m of a structure as they do not always impede access. The decision requested seeks to either define 'intensive farming activities' or delete from EI-R51. Delete clause (1)(f) from EI-R51.
396. Kainga Ora [325.45] seeks to amend EI-R51, stating that often fences are closer than 6 m 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. The submission states that building closer than 6m triggering a non-complying activity seems unreasonable. Kainga Ora seeks to amend the max floor of a new non-habitable building as this will be difficult to monitor and manage.
397. Federated Farmers [414.80] seek amendments to the permitted activity part of EI-R51 as follows:
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 storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;
 - b. fences no greater than 2.5m in height above ground level and no closer than ~~6m~~5m from the nearest National Grid support structure;
 - c.
 - ~~d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;~~
 - e. ..
 - ~~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 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~~
 - i. ...
398. Federated Farmers [414.81] also seek amendments on EI-R51 for the non-complying part as follows:
- 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
 - ...

8.33.1 Assessment

399. Regarding the submission by Transpower, I agree with the suggested amendment. I consider 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.
400. Regarding the submissions by Hort NZ, Kainga Ora, and Federated Farmers all seeking similar amendment to the rules, I have the responses in the following paragraphs.

401. I agree the reference to 'intensive farming activities' should be amended as this is an undefined term. I consider it should be replaced with 'intensive indoor primary production' which is a National Planning Standards definition.
402. I consider mobile irrigation equipment should be captured by the rule. Based on amendments to the rule proposed by Transpower and which are proposed to be accepted, 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.
403. In relation to the maximum height and floor area for a new non-habitable building included within the Proposed Plan, based on amendments to the rule proposed by Transpower and which are proposed to be accepted, a maximum height and floor area for a new non-habitable building will no longer apply.
404. In relation to removing the requirement for a 6-metre setback for new fences, this amendment is not accepted. I consider this setback requirement is consistent with a regulatory approach included within the Hurunui, Selwyn and Christchurch District Plans and is required to ensure access is maintained to the national grid infrastructure.
405. Regarding the Federated Farmers submission on the non-complying aspect of EI-R51, the decision requested is accepted in part. It is proposed the 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. 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.

8.33.2 Summary of recommendations

406. I recommend that the submissions from the following submitters be **accepted**:
- Transpower [195.43],
 - Hort NZ [295.80],
 - Kainga Ora [325.45],
 - Federated Farmers [414.80] [414.81]
407. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R51 as follows and as shown in **Appendix A**:

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
All Zones	Activity status: PER Where: <u>1. the activity is not a sensitive activity;</u>	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

	<p><u>2. buildings or structures comply with NZECP34: 2001 and are:</u></p> <p><u>a. for a network utility; or</u></p> <p><u>b. a fence not exceeding 2.5m in height above ground level; or</u></p> <p><u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u></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 production¹⁵⁸</u> ¹⁵⁹ <u>, or</u></p> <p>iv. <u>a commercial greenhouse or</u></p> <p>v. <u>produce packing facilities;</u></p> <p><u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or</u></p>	<p>consent authority considers this is required, absent its written approval.</p>
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¹⁵⁸ Transpower NZ Ltd [195.43]

¹⁵⁹ Horticulture NZ [295.80]

	<p style="text-align: center;"><u>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 style="padding-left: 20px;"><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 style="padding-left: 20px;"><u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u></p> <p style="padding-left: 20px;"><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>¹⁶⁰</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</p>	
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¹⁶⁰ Transpower NZ Ltd [195.43]

<p>development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <ul style="list-style-type: none"> a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators; b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure; c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that: <ul style="list-style-type: none"> i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is a maximum of 2.5m in height above ground level; iii. is removable or temporary, to allow clear working space 12m from the pole when 	
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<p>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</p>	
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	<p>vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>i. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.¹⁶¹</p>	
<p>All Zones</p>	<p>Activity status: NC Where:</p> <ol style="list-style-type: none"> 1. activities and development within a National Grid Yard involve the following: <ol style="list-style-type: none"> 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; 	<p>Activity status when compliance not achieved: N/A</p>

¹⁶¹ Transpower NZ Ltd [195.43]

<p>d. dairy/milking sheds or buildings for <u>intensive indoor primary production</u>^{162, 163, 164} or intensive farming^{162, 163, 164} 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>	
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8.34 EI-R52: Earthworks within a National Grid Yard

8.34.1 Matters raised by submitters

408. Four submissions were received on EI-R52. Two seek to retain as notified.¹⁶⁵ Transpower [195.44] 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 NZECP34:2001, including:

- 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;

¹⁶² Transpower NZ Ltd [195.43]

¹⁶³ Horticulture NZ [295.80]

¹⁶⁴ Federated Farmers of NZ Inc. [414.81]

¹⁶⁵ Horticulture NZ [295.81], Kainga Ora [325.46]

- 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).

409. 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.

410. Federated Farmers [414.82] state that the rules for National Grid must be consistent with NZECP34 and the NPSET, and not undermine landowners' rights awarded by their legal easement agreements and other legislation. The submitter seeks the following amendments:

Amend EI-R52:

1. around National Grid support towers:

- a. depth shall be no deeper than 300mm within ~~6m~~2.2m 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;

...

~~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.

8.34.2 Assessment

411. I note that the amendments suggested by Transpower are consistent with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) for minimum safe distances for excavation and construction near towers. The amendments suggested by Federated Farmers are not consistent with the NZECP 34:2001 for minimum safe distances for excavation and construction near poles or stay wires. Given EI-R52 manages earthworks within the National Grid Yard, I consider the setbacks listed within NZECP 34:2001 associated with towers is appropriate, therefore I support the amendment sought by Transpower.

412. I also agree with the deletion of EI-R53 which requires a consent as a Restricted discretionary activity for quarries or landfills on the same site as a National Grid support structure. I note that the activity of establishing a quarry or a landfill (referred to as Waste management facility in other parts of the Proposed Plan) is managed in each of the relevant zone provisions¹⁶⁶ within the Proposed Plan, and therefore does not need to be included within the EI chapter.

¹⁶⁶ GRUZ-R30, GRUZ-R31, LLRZ-R33, LLRZ-R37, RLZ-R31, RLZ-R32, GRZ-R28, etc.

8.34.3 Summary of recommendations

413. I recommend that the submission from Transpower [195.44] be **accepted**.
414. I recommend that the submission from Federated Farmers [414.82] be **rejected**.
415. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R52 as follows and as shown in **Appendix A**:

EI-R52	<u>Earthworks (other than quarry or landfill)¹⁶⁷ and the disturbance of land for the installation of fence posts¹⁶⁸ within a National Grid Yard</u>	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. <u>around National Grid support towers:¹⁶⁹ 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 structure¹⁷⁰.</u> <ol style="list-style-type: none"> a. <u>depth shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure;</u> b. <u>depth shall be no deeper than 3m:</u> <ol style="list-style-type: none"> i. <u>between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or</u> ii. <u>between 6m and 10m from the foundation of a 66kV National Grid support structure;¹⁷¹</u> 2. <u>earthworks and the disturbance of land for the installation of fence</u> 	<p>Activity status when compliance with EI-R52 (1) not achieved: RDIS Matters of discretion are restricted to: 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>

¹⁶⁷ Transpower NZ Ltd [195.44]¹⁶⁸ Transpower NZ Ltd [195.44]¹⁶⁹ Transpower NZ Ltd [195.44]¹⁷⁰ Transpower NZ Ltd [195.44]¹⁷¹ Transpower NZ Ltd [195.44]

<p><u>posts</u>¹⁷² shall not compromise the stability of a National Grid support structure;</p> <p>3. <u>earthworks and the disturbance of land for the installation of fence posts</u>¹⁷³ 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. <u>earthworks and the disturbance of land for the installation of fence posts</u>¹⁷⁴ shall not result in <u>existing</u>¹⁷⁵ vehicular access to a National Grid support structure being permanently obstructed.</p>	
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416. I recommend that the EI chapter of the Proposed District Plan be amended by including a new rule EI-R52A as follows and as shown in **Appendix A**:

EI-R52A ¹⁷⁶	<u>Earthworks within a National Grid Yard</u>	
<u>All Zones</u>	<p><u>Activity status: RDIS</u> <u>Where:</u></p> <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> 	<p><u>Matters of discretion are restricted to:</u> <u>EI-MD12 National Grid</u></p> <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>¹⁷⁷</p>

¹⁷² Transpower NZ Ltd [195.44]

¹⁷³ Transpower NZ Ltd [195.44]

¹⁷⁴ Transpower NZ Ltd [195.44]

¹⁷⁵ Transpower NZ Ltd [195.44]

¹⁷⁶ Transpower NZ Ltd [195.44]

¹⁷⁷ Transpower NZ Ltd [195.44]

	<p>b. <u>between 6m and 10m from the foundation of a 66kV National Grid support structure;</u></p> <p>2. <u>earthworks shall not compromise the stability of a National Grid support structure;</u></p> <p>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></p> <p>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>	
	<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);¹⁷⁸ • 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. 	
	<p>Advisory Note</p> <ul style="list-style-type: none"> • National Grid transmission lines are shown on the planning map. 	

¹⁷⁸ Transpower NZ Ltd [195.44]

8.35 EI-R53: Any quarry or landfill on the same site as a National Grid support structure

8.35.1 Matters raised by submitters

417. One submission was received on EI-R53. Federated Farmers [414.83] seek to delete EI-R53 entirely.

8.35.2 Assessment

418. I agree with the deletion of EI-R53, for the reasons set out in the assessment of EI-R51 below.

8.35.3 Summary of recommendations

419. I recommend that the submission from Federated Farmers [414.83] be **accepted**.

420. I recommend that the EI chapter of the Proposed District Plan be amended by deleting EI-R53 as shown in **Appendix A**.

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

8.36 EI-R54: Earthworks adjacent to a 66kV or 33kV electricity distribution line

8.36.1 Matters raised by submitters

421. Four submissions were received on EI-R54, all seeking changes.

422. The submission from Mainpower [249.49] [249.50] [249.51] seeks that the provisions related to managing reverse sensitivity effects under EI-R54, EI-R55 and EI-R56 and a proposed new rule (structures near major electricity distribution lines) should be located in the relevant zone chapters¹⁷⁹. Alternatively, they would accept appropriate hyperlinks within the relevant zone chapters linking plan users back to the Energy and Infrastructure Chapter.

423. Mainpower [249.92] also support the rule but considers the Code of Practice does not provide sufficient protection from earthworks activities adversely interfering with the support structures and associated foundations of Major Electricity Distribution Lines. Mainpower seeks 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. The following amendments are proposed:

Earthworks adjacent to a major 66kV or 33kV electricity distribution line

Activity Status: PER

¹⁷⁹ The submission seeks that EI-R54, EI-R55, EI-R56 and proposed new rule be transferred to the following zones: 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

Where:

1. earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;

2. meet the following requirements:

a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and

b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and

~~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;~~

~~a. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and~~

...

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 or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);

earthworks for which a ~~dispensation~~ prior written consent 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.

Advisory Notes

- ~~66kV/33kV~~ major electricity distribution lines are shown on the planning maps.

...

Activity status when compliance not achieved: ~~RDIS~~ NC

~~Matters of discretion are restricted to:~~

~~—EI MD13—Major electricity distribution lines~~

Notification

An application for a ~~non-complying 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.

424. Kainga Ora [325.47] seek the deletion of the rule entirely. The submission states that 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. The submission therefore seeks to delete the entire rule and relevant standards and advice notes.
425. Federated Farmers [414.84] also seek to delete EI-R54. The submission states that 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.

8.36.2 Assessment

426. I support the Mainpower submission seeking cross references. I consider it is 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. Replicating these rules in each of the nine zone chapters is considered unnecessary. Each of the Zone chapters within the Proposed Plan already includes a generic cross reference within the 'Introduction' section which states:

'As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.'

427. However, I agree a cross-reference to the rules managing Major Electricity Distribution Lines and also National Grid is appropriate and will ensure these rules are not overlooked. I recommend the cross references in the zone chapters be placed within the 'Introduction' section of these zone chapters as follows:

'Where relevant, activities in the xx Zone must also comply with the provisions in the District-wide Energy and Infrastructure chapter, including EI-51, EI-R52, EI-R54, EI-R55, and EI-R56, which manage activities near the National Grid and Major Electricity Distribution Lines which are shown on the Planning Map.'

428. Regarding the submission by Mainpower, seeking amendments to the setback rules, these amendments are accepted in part. The setbacks requested by Mainpower are more nuanced than the notified setbacks and better align with NZECP 34:2001. In relation 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.
429. Regarding the decision requested by Kainga Ora and Federated Farmers, I disagree with the deletion of EI-R54. I note that the electricity distribution network as well as electricity transmission are included within the RPS definition of 'critical infrastructure', 'regionally significant infrastructure' and 'strategic infrastructure'. Method 4(b) associated with Policy

5.3.9 of the RPS states that territorial authorities will set out objectives and policies and may include methods in district plans which avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure. Similarly, Method 2 associated with Policy 6.3.5 of the RPS states that territorial authorities will include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities. Given this higher order direction within the RPS I consider corridor protection provisions for major electricity distribution lines are appropriate.

8.36.3 Summary of recommendations

430. I recommend that the submissions from Mainpower [249.49] [249.50] [249.92] be **accepted**.

431. I recommend that the submissions from the following submitters be **rejected**:

- Kainga Ora [325.47]
- Federated Farmers [414.84]

432. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R54 as follows and as shown in **Appendix A**:

EI-R54	Earthworks adjacent to a 66kV or 33kV <u>major</u> ¹⁸⁰ electricity distribution line	
All Zones	Activity Status: PER Where: 1. <u>earthworks shall be setback at least 6m from the centreline of a major electricity distribution line as shown on the planning map; or</u> ¹⁸¹ 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 ¹⁸² ; 2. <u>earthworks shall meet the following requirements:</u> a. <u>be no deeper than 300mm</u>	Activity status when compliance not achieved: RDIS-NC ¹⁸⁶ Matters of discretion are restricted to: EI-MD13 – Major electricity distribution lines ¹⁸⁷ Notification An application for a restricted discretionary non-complying ¹⁸⁸ 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.

¹⁸⁰ Mainpower NZ Ltd [249.92]

¹⁸¹ Mainpower NZ Ltd [249.92]

¹⁸² Mainpower NZ Ltd [249.92]

¹⁸⁶ Mainpower [249.93]

¹⁸⁷ Mainpower [249.93]

¹⁸⁸ Mainpower [249.93]

<p style="text-align: center;"> <u>within 2.2m of the foundation of the major electricity distribution line pole, pi-pole or tower; and</u> <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>¹⁸³ <u>a.c. shall not destabilise a 66kV or 33kV major</u>¹⁸⁴ <u>electricity distribution line pole, pi-pole</u>¹⁸⁵ <u>or tower; and</u> <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 Code of Practice for Electricity Safe Distances are met.</u> </p>	
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¹⁸³ Mainpower NZ Ltd [249.92]

¹⁸⁴ Mainpower NZ Ltd [249.92]

¹⁸⁵ Mainpower NZ Ltd [249.92]

433. I recommend that the following text is inserted into the introduction section within the Zone chapters:

'Where relevant, activities in the xx Zone must also comply with the provisions in the District-wide Energy and Infrastructure chapter, including EI-51, EI-R52, EI-R54, EI-R55, and EI-R56, which manage activities near the National Grid and Major Electricity Distribution Lines which are shown on the Planning Map.'¹⁸⁹

8.37 EI-R55: Network utilities within 10m of the centre line of a 66kV or 33kV electricity distribution line

8.37.1 Matters raised by submitters

434. Four submissions were received on EI-R55. One seeks to retain as notified.¹⁹⁰
435. Chorus, Spark and Vodafone [62.35] seek amendments to include a clause similar to that in EI-R51(1)(a) 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.
436. Mainpower [249.93] seek consistency with the terminology used. The following amendments are suggested:

Network utilities within ~~610m~~ of the centre line of a major 66kV or 33kV electricity distribution line

...

Advisory Note

~~66kV/33kV~~ major electricity distribution lines are shown on the planning map.

8.37.2 Assessment

437. Regarding the submission by Chorus, Spark and Vodafone, I note that I have recommended a redrafting of EI-R51(a) which removes the permitted activity status for building or structure where Transpower NZ Ltd has given written approval. I consider it is inappropriate that an activity status is determined by a third party. Instead, I have recommended an amendment to the notification clause to align with EI-R51 to limit a notification to Mainpower NZ.
438. I support the Mainpower submission seeking consistency of terminology between EI-R54 and EI-R55.

8.37.3 Summary of recommendations

439. I recommend that the submissions from the following submitters be **accepted**:
- Chorus, Spark and Vodafone [62.35]
 - Mainpower [249.93]

¹⁸⁹ Mainpower [249.92]

¹⁹⁰ Kainga Ora [325.48]

- Kainga Ora [325.48]

440. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R55 as follows and as shown in **Appendix A**:

EI-R55	Network utilities within 10m <u>6m</u>¹⁹¹ of the centre line of a 66kV or 33kV <u>major</u>¹⁹² electricity distribution line	
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 Mainpower NZ where the consent authority considers this is required, absent its written approval.</u> ¹⁹³
	Advisory Note <ul style="list-style-type: none"> • 66kV/33kV <u>Major</u>¹⁹⁴ electricity distribution lines are shown on the planning map. 	

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

8.38.1 Matters raised by submitters

441. Three submissions were received on EI-R56. One seeks to retain as notified.¹⁹⁵

442. Mainpower [249.94] supports EI-R56 but seeks further clarity. The amendments sought are below:

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

...

Where:

1. activities and development adjacent to a ~~major 66kV or 33kV~~ electricity distribution line involve the following:

- a. new sensitive activity and new buildings (~~excluding accessory buildings~~) within ~~6~~ 10m of the centreline of a ~~66kV or 33kV~~ major electricity distribution line or within ~~10~~ 6m of the

¹⁹¹ Mainpower NZ Ltd [249.93]

¹⁹² Mainpower NZ Ltd [249.93]

¹⁹³ Chorus, Spark and Vodafone [62.35]

¹⁹⁴ Mainpower NZ Ltd [249.93]

¹⁹⁵ Kainga Ora [325.49]

~~foundation of a support structure visible outer edge of a foundation of an associated pole or tower; or~~

b. complies with the requirements of NZECP34:2001.

~~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 electricity distribution lines are shown on the planning map...

443. Federated Farmers [414.85] seek the 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.

8.38.2 Assessment

444. In relation to the submission from Mainpower, the decision requested is accepted in part. I consider these amendments will result in a similar rule framework to that which manages activities in a National Grid Yard. 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. 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.
445. Regarding the decision requested by Federated Farmers the submission is not supported. I note that the electricity distribution network as well as electricity transmission are included within the RPS definition of 'regionally significant infrastructure'. Method 4(b) associated with Policy 5.3.9 of the RPS states that territorial authorities will set out objectives and policies and may include methods in district plans which avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure. Similarly, Method 2 associated with Policy 6.3.5 of the RPS states that territorial authorities will include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities. Given this higher order direction within the RPS I consider corridor protection provisions for major electricity distribution lines are appropriate.

8.38.3 Summary of recommendations

446. I recommend that the submission from Mainpower [249.94] be **accepted**.
447. I recommend that the submission from Federated Farmers [414.85] be **rejected**.
448. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R56 as follows and as shown in **Appendix A**:

EI-R56	Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV <u>major</u>¹⁹⁶ electricity distribution line	
All Zones	<p>Activity status: NC Where:</p> <p>1. <u>new, or expansion or extension of existing</u>,¹⁹⁷ activities and development adjacent to a 66kV or 33kV <u>major</u>¹⁹⁸ electricity distribution line involve the following:</p> <p><u>a. new a sensitive activity and or a new buildings or structure</u>¹⁹⁹ (excluding accessory buildings)²⁰⁰ within <u>6m</u>²⁰¹ of the centreline of a 66kV or 33kV <u>major</u>²⁰² electricity distribution line or within <u>40m</u> <u>6m</u>²⁰³ of the <u>visible outer edge of a</u>²⁰⁴ foundation of an <u>associated a pole, pi-pole</u>²⁰⁵ or tower; <u>and or</u></p> <p><u>a.b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for</u></p>	Activity status when compliance not achieved: N/A

¹⁹⁶ Mainpower NZ Ltd [249.94]¹⁹⁷ Mainpower NZ Ltd [249.95]¹⁹⁸ Mainpower NZ Ltd [249.94]¹⁹⁹ Mainpower NZ Ltd [249.94]²⁰⁰ Mainpower NZ Ltd [249.94]²⁰¹ Mainpower NZ Ltd [249.94]²⁰² Mainpower NZ Ltd [249.94]²⁰³ Mainpower NZ Ltd [249.94]²⁰⁴ Mainpower NZ Ltd [249.94]²⁰⁵ Mainpower NZ Ltd [249.94]

	<p><u>Electricity Safe Distances.</u>²⁰⁶</p> <p>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.²⁰⁷</p> <p>²⁰⁸Notification 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 Major²⁰⁹ 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. 	

8.39 New rule for structures near major electricity distribution lines

8.39.1 Matters raised by submitters

449. Mainpower [249.95] seek a new rule in relevant zone chapters to address structures near major electricity distribution lines. Mainpower seeks the following:

Insert a new EI Rule EI-XX:

"Structures near a 66kV or 33kV major electricity distribution line Activity status: NC

²⁰⁶ Mainpower NZ Ltd [249.94]

²⁰⁷ Mainpower NZ Ltd [249.94]

²⁰⁸ Mainpower NZ Ltd [249.94]

²⁰⁹ Mainpower NZ Ltd [249.94]

1. The establishment of a new, or expansion of an existing structure:

Where:

2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or
3. 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
4. Complies with the requirements of NZECP34:2001

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.

Activity status when compliance not achieved: NC"

8.39.2 Assessment

450. The inclusion on a new rule for structures near major electricity distribution lines submission is supported. 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.

8.39.3 Summary of recommendations

451. I recommend that the submission from Mainpower [249.95] be **accepted**.
452. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R56 as shown above and within **Appendix A**.

Activity Rules - Minor amendments

8.40 Historic heritage

8.40.1 Assessment

453. During the s42a report writing process it was noted by the reporting officer of the HH – Historic Heritage chapter that the references within rules EI-R8(1), EI-R38(1), EI-R40(4), EI-R41(5), EI-R42(2) of the EI chapter to a 'building with historic values' was inconsistent with the references in the HH chapter which refers to a 'historic heritage' building or structure 'listed in HH-SCHED2'.
454. To ensure consistency across the Proposed Plan I recommended amendments are made to EI the chapter to ensure consistency across the chapters.

8.40.2 Summary of recommendations

455. I recommend that the EI chapter of the Proposed District Plan be amend EI-R8(1), EI-R38(1), EI-R40(4), EI-R41(5), EI-R42(2) as follows and as shown in **Appendix A**:

1. new installations shall not involve alteration to a historic heritage building listed in HH-SCHED2 ~~with heritage values.~~
1. installation shall not involve alteration to a historic heritage structure listed in HH-SCHED2 ~~with heritage values.~~
4. new installations shall not involve alteration to a historic heritage building or other structure listed in HH-SCHED2 ~~with heritage values.~~
5. new installations shall not involve alteration to a historic heritage structure listed in HH-SCHED2 ~~with heritage values;~~
2. new installations shall not involve alteration to a historic heritage building listed in HH-SCHED2 ~~with heritage values.~~

8.41 Section 32AA assessment

456. I consider the recommended amendments to the rules listed above are largely minor in nature but help articulate how the Proposed Plan is to be implemented and is therefore more effective in achieving EI-O1, EIO2, and EI-O3. Amendments such as the addition of EI-R44A, amendment to EI-R44, EI-R5 2and EI-R56 have been recommended to better achieve EI-O1, and EI-O3 and also better give effect to the higher order documents such as the RPS, NPSREG, and NPSET. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

9 Matters of Discretion

9.1 Introduction

457. The EI Chapter includes 14 matters of discretion, three of which (EI-MD1²¹⁰, EI-MD8²¹¹ EI-MD11²¹²) only received submissions in support and seeking their retention as notified.
458. I recommend that no change be made to EI-MD1, EI-MD8 and EI-MD11 of the EI chapter to the Proposed Plan.

9.2 EI-MD2: Amenity values, location and design

9.2.1 Matters raised by submitters

459. Kainga Ora [325.51] supports EI-M2 and seeks it be retained as notified. Transpower NZ [195.46] Ltd 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'.
460. Mainpower [249.97] support EI-M2 however seek to have additional clause to align with EI-MD1 (2). They seek a new clause be added as follows:

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.

9.2.2 Assessment

461. In relation to the amendment sought by Transpower, I agree with the suggested amendment of 'where necessary' as it acknowledges that the screening the infrastructure is not always necessary, even if it may be practical or effective.
462. In relation the amendment sought by Mainpower, I disagree that the matter of discretion related to 'Amenity values, location and design' is the appropriate place for a matter of discretion related to the benefits of infrastructure. I consider this amendment is better located within EI-M14 title 'Extent of effects'. In relation to the amendment seeking a new clause be added to EI-M2 which replicates MD-M1(2), I disagree this is required. I note that with the exception of EI-R13 and EI-R15, whenever EI-MD1 applies so does EI-MD2, as such, rather than replicating one of the matters of discretion within MD-M1, I recommend including EI-MD2 to EI-R13 and EI-R15 which would achieve the same result without having to replicate matters of discretion.

9.2.3 Summary of recommendations

463. I recommend that the submissions from the following submitters be **accepted**:
- Kainga Ora [325.51]

²¹⁰ Heritage NZ [178.9], Transpower [195.45], Mainpower [249.96], Kainga Ora [325.50], DoC [419.46]

²¹¹ Fire and Emergency NZ [303.16], Kainga Ora [325.57]

²¹² Fire and Emergency NZ [303.17], Kainga Ora [325.60]

- Transpower NZ [195.46]
- Mainpower [249.97]
- I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-MD2, as follows and as shown in **Appendix A**:

EI-MD2	Amenity values, location and design 1. The practicality and effectiveness of screening the infrastructure, <u>where necessary</u> . ²¹³ 2.
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9.3 EI-MD3: Operational considerations

9.3.1 Matters raised by submitters

464. Three submissions were received on EI-MD3. Two seek to retain as notified.²¹⁴

465. Mainpower [249.98] seek the following amendment to EI-MD3:

...

2. The extent to which placing infrastructure underground is ~~unreasonable~~ possible in terms of technical constraints, additional costs or environmental effects.

...

9.3.2 Assessment

466. Regarding the submission by Mainpower, I disagree with the suggested amendment. 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.

9.3.3 Summary of recommendations

467. I recommend that the submissions from Mainpower [249.98] be **rejected**.

468. I recommend that that no change be made to EI-MD3 of the EI chapter of the Proposed Plan.

9.4 EI-MD4: Health and safety

9.4.1 Matters raised by submitters

469. Two submissions were received on EI-MD4, both seeking amendments.²¹⁵

470. Transpower [195.48] considers the 'Matters' could be expanded to address impacts on safety as well as human health. Transpower seeks the following amendments:

²¹³ Transpower NZ Ltd [195.46]

²¹⁴ Transpower [195.47], Kainga Ora [325.52]

²¹⁵ Transpower [195.48], Kainga Ora [325.53]

1. The extent to which the infrastructure will be designed and located in relation to close proximity to any existing sensitive activity.
2. ~~and the~~ The extent to which the infrastructure provides for the health and safety of people and communities of any effect on human health.

471. Kainga Ora [325.53] seeks the following amendment to EI-MD4:

1. The extent to which the infrastructure proposed will be located in close proximity to any sensitive activity, and the extent of any effect on human health.

9.4.2 Assessment

472. Regarding the decision requested by Transpower I agree in part with the suggested amendments. I agree that the matter of discretion should be limited to 'existing' sensitivity activities. However, I disagree the other suggested amendment are required. I note that the focus of this matter of discretion is on potential reverse sensitive effect. I consider there are other matters of discretion that consider the positive benefits of infrastructure such as EI-MD14. I also disagree that 'design' needs to be included within the matter of discretion as I consider the design of the infrastructure will be considered when understanding the 'extent of any effect on human health'.
473. With regard to the decision requested by Kainga Ora, I disagree with the inclusion is required. I consider this would be at odds with the other matters of discretion, none of which refer to the 'proposed' infrastructure. In addition, the matters of discretion can only apply to resource consent sought for proposed activities.

9.4.3 Summary of recommendations

474. I recommend that the submissions from Transpower [195.48] be **accepted**.
475. I recommend that the submissions from Kainga Ora [325.53] be **rejected**.
476. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-R-MD4 as follows and as shown in **Appendix A**:

EI-MD4	Health and safety <ol style="list-style-type: none"> 1. The extent to which the infrastructure will be located in proximity to any <u>existing</u>²¹⁶ sensitive activity, and the extent of any effect on human health.
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9.5 EI-MD5: Electricity generation

9.5.1 Matters raised by submitters

477. Two submissions were received on EI-MD5. One seeks to retain as notified.²¹⁷
478. Mainpower [249.99] seeks to amend EI-MD5 to include a new clause:

²¹⁶ Transpower NZ Ltd [195.48]

²¹⁷ Kainga Ora [325.54]

"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."

9.5.2 Assessment

479. In relation to the amendment seeking a new clause be added to EI-M5 which replicates MD-M1(2), I disagree this is required. I note that whenever EI-MD5 applies so does EI-MD1, as such, there is no need to replicate in within EI-M5.

9.5.3 Summary of recommendations

- I recommend that the submissions from Kainga Ora [325.25] be **accepted**.
- I recommend that the submissions from Mainpower [249.99] be **rejected**.

480. I recommend that that no change be made to EI-MD7 of the EI chapter of the Proposed Plan.

9.6 EI-MD6: Electricity transmission and electricity distribution

9.6.1 Matters raised by submitters

481. Five submissions were received on EI-MD6. Two seek to retain as notified.²¹⁸

482. Transpower [195.49] oppose EI-MD6 and consider the 'Matters' would benefit from a substantial rewrite. Transpower seeks to amend EI-MD6 to better reflect relevant considerations for the establishment of a transmission line.

483. Hort NZ [295.82], is unclear whether EI-MD6 clause 2 also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements. Hort NZ seeks the following amendment to clause 2:

2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, including increased compliance requirements for landowners and occupiers.

484. Federated Farmers [414.86] suggest that EI-MD6 must not apply to local electricity distribution lines as they do not have the same status as the National Grid and there is no obligation to protect them from sensitive activities under the NPSET. They consider easement agreements are the appropriate mechanism. The submission states that only existing and current matters should be considered. The following amendments are suggested:

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.

9.6.2 Assessment

485. Regarding the submission by Transpower [195.49], the decision requested is accepted. I have included a range of amendments to EI-MD6 to address Transpower's concerns. I note that EI-M6 only applies to EI-R24 New overhead transmission lines and electricity distribution lines

²¹⁸ Mainpower [249.100], Kainga Ora [325.55]

and supporting poles and towers. Given this I consider the matters of discretion only need to consider the potential effects of new overhead transmission lines and electricity distribution lines rather than the effect other activities may have on the electricity transmission and electricity distribution activity.

486. Regarding the submission by Hort NZ [295.82], the decision requested is not supported. The current wording still allows such an assessment to occur, therefore the requested is amendment is unnecessary. Regarding the submission by Federated Farmers [414.86], I note that the electricity distribution network as well as electricity transmission are included within the RPS definition of 'regionally significant infrastructure'. Method 4(b) associated with Policy 5.3.9 of the RPS states that territorial authorities will set out objectives and policies and may include methods in district plans which avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure. Similarly, Method 2 associated with Policy 6.3.5 of the RPS states that territorial authorities will include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities. Given this higher order direction within the RPS I consider corridor protection provisions for major electricity distribution lines are appropriate.

9.6.3 Summary of recommendations

487. I recommend that the submissions from Transpower [195.49] be **accepted**.
488. I recommend that the submissions from the following submitters be **rejected**:
- Hort NZ [295.82];
 - Farmers [414.86]
489. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-MD6 as follows and as shown in **Appendix A**:

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>²¹⁹</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>²²⁰</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.²²¹</p> <p>2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p>
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²¹⁹ Transpower NZ Ltd [195.49]

²²⁰ Transpower NZ Ltd [195.49]

²²¹ Transpower NZ Ltd [195.49]

	<p>3. Nature of technical advice provided by infrastructure operators and extent of compliance with it.²²²</p> <p>4. Risk of electrical hazards affecting public safety and risk of property damage.</p>
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9.7 EI-MD7: Gas distribution pipeline and fuel systems

9.7.1 Matters raised by submitters

490. Two submissions were received on EI-MD7. One seeks to retain as notified.²²³
491. Federated Farmers [414.87] oppose any regulation of landowners for the protection of the gas distribution network. The submission states that this is due to gas pipelines having 100% easement agreement coverage where they cross over private land, and district plan regulation is completely unnecessary. The submission states that District Plan provisions must not undermine legal easement agreements. Federated Farmers seek to delete EI-MD7.

9.7.2 Assessment

492. Regarding the submission by Federated Farmers [414.87], I disagree an amendment is necessary. 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. I also note that bulk fuel supply infrastructure including pipelines are included within the RPS definition of 'regionally significant infrastructure'. Method 4(b) associated with Policy 5.3.9 of the RPS states that territorial authorities will set out objectives and policies and may include methods in district plans which avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure. Similarly, Method 2 associated with Policy 6.3.5 of the RPS states that territorial authorities will include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities. Given this higher order direction within the RPS I consider corridor protection provisions for bulk fuel supply infrastructure are appropriate.

9.7.3 Summary of recommendations

493. I recommend that the submissions from Kainga Ora [325.56] be **accepted**.
494. I recommend that the submissions from Federated Farmers [414.87] be **rejected**.
495. I recommend that that no change be made to EI-MD7 of the EI chapter of the Proposed Plan.

²²² Transpower NZ Ltd [195.49]

²²³ Kainga Ora [325.56]

9.8 EI-MD9: Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure

9.8.1 Matters raised by submitters

496. Four submissions were received on EI-MD9. Three seek to retain as notified.²²⁴

497. Transpower [195.50] 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, the submitter suggests inclusion of a new clause that considers benefit of the infrastructures that benefit from, or relied on, the access track. Transpower seeks to amend EI-MD9 as follows:

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 Earthworks standards EW-S1 to EW-S7 for the relevant zone or overlay, and the extent of any effects of non-compliance.
3. Relevant assessment matters in the Earthworks Chapter and, 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.

9.8.2 Assessment

498. Regarding the submission by Transpower, the requested amendments are supported as I consider the suggested amendments improve accuracy of cross references, and to take into account the benefits of infrastructure.

9.8.3 Summary of recommendations

499. I recommend that the submissions from the following submitters be **accepted**:

- Mainpower [249.101]
- Kainga Ora [325.58]
- KiwiRail [373.99]
- Transpower [195.50].

500. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-MD9 as follows and as shown in **Appendix A**:

EI-MD9	<p>Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure</p> <p>1. The ability to integrate with the landscape, follow natural contours, and mitigate dverse effects.</p>
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²²⁴ Mainpower [249.101], Kainga Ora [325.58], KiwiRail [373.99]

	<p>2. The extent of <u>non</u>²²⁵-compliance with ²²⁶<u>Earthworks standards EW-S1 to EW-S7</u>²²⁷²²⁸.</p> <p>3. <u>Relevant assessment matters in the Earthworks Chapter and, where resource consent is required by Rules EI-R2 and EI-R23</u>²²⁹, for the ²³⁰overlay.</p> <p>4. <u>The benefits of the related infrastructure.</u>²³¹</p>
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9.9 EI-MD10: Relocation of existing infrastructure

9.9.1 Matters raised by submitters

501. Three submissions were received on EI-MD10. Two seek to retain as notified.²³²

502. Transpower [195.51] seeks to enable a consideration of the benefits of the infrastructure by adding an additional clause:

“The benefits of the infrastructure.”

9.9.2 Assessment

503. Regarding the submission by Transpower [195.51], the decision requested is supported as the amendment requested is considered appropriate in the context of a matter of discretion as it provides a greater scope to consider the benefits of infrastructure.

9.9.3 Summary of recommendations

504. I recommend that the submissions from Transpower [195.51] be **accepted**.

505. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-MD10 as follows and as shown in **Appendix A**:

EI-MD10	<p>Relocation of existing infrastructure</p> <ol style="list-style-type: none"> 1. ... 2. ... 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 <u>d. SNAs.</u> d. The benefits of the infrastructure.
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²²⁵ Transpower NZ Ltd [195.50]

²²⁶ Transpower NZ Ltd [195.50]

²²⁷ Transpower NZ Ltd [195.50]

²²⁸ Transpower NZ Ltd [195.50]

²²⁹ Transpower NZ Ltd [195.50]

²³⁰ Transpower NZ Ltd [195.50]

²³¹ Transpower NZ Ltd [195.50]

²³² Mainpower [249.102], Kainga Ora [325.59]

	4. <u>The benefits of infrastructure.</u> ²³³
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9.10 EI-MD12: National Grid

9.10.1 Matters raised by submitters

506. Three submissions were received on EI-MD12. One seeks to retain as notified.²³⁴

507. Kainga Ora [325.61] seeks to amend EI-MD12 as follows:

3. The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid.

508. Federated Farmers [414.88] seek the following amendments to EI-MD12:

1. The extent of any impacts on the operation, maintenance, upgrading and development of the National Grid.
2. ..
- ~~3. The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid.~~
4. ..

9.10.2 Assessment

509. Regarding the decision requested by Kainga Ora [325.61], the submission is not supported as the requested amendment does not make sense.

510. Regarding the decision requested by Federated Farmers [414.88], I disagree an amendment is required. I note that the RPS contains definitions of 'regionally significant infrastructure' which include electricity transmission. Method 4(b) associated with Policy 5.3.9 of the RPS states that territorial authorities will set out objectives and policies and may include methods in district plans which avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure. Similarly, Method 2 associated with Policy 6.3.5 of the RPS states that territorial authorities will include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities. Given this higher order direction within the RPS I consider corridor protection provisions for electricity transmission infrastructure are appropriate.

9.10.3 Summary of recommendations

511. I recommend that the submissions from the following submitters be **rejected**:

- Kainga Ora [325.61],
- Federated Farmers [414.88].

²³³ Transpower NZ Ltd [195.51]

²³⁴ Transpower [195.52]

512. I recommend that that no change be made to EI-MD12 of the EI chapter of the Proposed Plan.

9.11 EI-MD13: Major electricity distribution lines

9.11.1 Matters raised by submitters

513. Three submissions were received on EI-MD13. One seeks to retain as notified.²³⁵

514. Mainpower [249.103] seeks that the activity status for rules linking to this matter of discretion be a non-complying activity and therefore for that this matter of discretion to be deleted. Mainpower seeks to delete EI-MD3.

515. Federated Farmers [414.89] also seek to delete EI-MD13, as EI-MD13 must not provide the same level of protection to local electricity distribution lines. The submission states that 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. Federated Farmers state that only existing and current matters should be considered.

9.11.2 Assessment

516. It is recommended EI-MD13 'Major electricity distribution lines' be deleted, as requested by both Mainpower and Federated Farmers. I note that the amendments sought by Mainpower to EI-R54 are recommended to be accepted, which mean the default activity status for earthworks adjacent to a major electricity distribution line will become a non-complying rather than restricted discretionary. On this basis the matter of discretion will no longer be required.

9.11.3 Summary of recommendations

517. I recommend that the submissions from the following submitters be **accepted**:

- Mainpower [249.103]
- Federated Farmers [414.89]

518. I recommend that the submissions from Kainga Ora [325.62] be **rejected**.

519. I recommend that EI-MD13 is deleted from the Proposed Plan.

9.12 EI-MD14: Extent of effects

9.12.1 Matters raised by submitters

520. Five submissions were received on EI-MD14. One seeks to retain as notified.²³⁶

521. Transpower [195.53] seeks to enable a consideration of the benefits of infrastructure and suggests the following amendments:

²³⁵ Kainga Ora [325.62]

²³⁶ Kainga Ora [325.63]

x. The extent of non-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.

522. Mainpower [249.104] Seeks to delete EI-MD14 as the submission states it provides no certainty.

523. Hort NZ [295.83] is unclear whether this provision also requires consideration of adverse effects on landowners and occupiers from additional compliance requirements. Hort NZ seek the following amendments to EI-MD14:

"The extent of compliance, including increased compliance requirements for landowners and occupiers, with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects."

524. Federated Farmers [414.90] state that these matters of discretion are triggered by any upgrades to electricity transmission lines, but the concept of landholder consultation is ruled out as the matters of discretion and are limited to non-compliance with any given standard, not wider effects. Federated Farmers seek to amend EI-MD14 by adding an additional matter of discretion:

Any effects on the underlying or adjacent landholders.

9.12.2 Assessment

525. Regarding the submission by Transpower [195.53], the decision requested is supported. I consider the requested amendments are appropriate in the context of a matter of discretion.

526. The submission by Mainpower [249.104] is not supported. I note that there are a number of 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.

527. The decisions requested by Hort NZ and Federated Farmers are not supported. The requested considerations 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.**"

9.12.3 Summary of recommendations

528. I recommend that the submissions from the following submitters be **accepted**:

- Transpower [195.53]
- Kainga Ora [325.63]

529. I recommend that the submissions from the following submitters be **rejected**:

- Mainpower [249.104]

- Federated Farmers [414.89]
- Hort NZ [295.83]

530. I recommend that the EI chapter of the Proposed District Plan be amended by changing EI-MD14 as follows and as shown in **Appendix A**:

EI-MD14	<p>Extent of effects</p> <p><u>1.</u> The extent of <u>non</u>²³⁷-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><u>2.</u> <u>The benefits of the infrastructure.</u>²³⁸</p>
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9.13 Section 32AA assessment

531. I consider the recommended amendments to the matters of discretion listed above are minor in nature but help articulate how the Proposed Plan is to be implemented and is therefore more effective in achieving EI-O1, EI-O2, and EI-O3. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

²³⁷ Transpower NZ Ltd [195.53]

²³⁸ Transpower NZ Ltd [195.53]

10 Planning Map

10.1 Introduction

532. Seven submission points were received on EI Planning Map matters by three submitters. These related to the mapping of National Grid transmission lines and Major Electricity Distribution lines, and their respective setback corridors, including the National Grid Yard and National Grid Subdivision Corridor. The submission point in this section have been grouped by submitter.

10.2 Transpower

10.2.1 *Matters raised by submitters*

533. Transpower [195.117] support identification of National Grid transmission lines on the planning map but wish amend the planning map by adding the voltage of the National Grid transmission lines.

534. Transpower [195.118] support the inclusion of the National Grid Yard on the Planning Map but considers that the mapping may be inaccurate. They seek that the Planning Maps be amended to accurately reflect the extent of the National Grid Yard, or 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'. Finally, Transpower [195.119] seek that the Planning Maps to show the 'National Grid Subdivision Corridor'.

10.2.2 *Assessment*

535. In relation to the inclusion of voltage lines on the planning maps, this amendment has been made under a Clause 16 RMA minor amendment²³⁹. 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.

536. In relation to the mapping of the National Grid Yard, it is recommended the National Grid Yard as currently shown on the planning map be removed, and the definition of National Grid Yard be relied on.

537. Finally, in relation to suggested addition of the 'National Grid Subdivision Corridor' to the planning maps, I note that the new definition of 'National Grid Subdivision Corridor' is recommended to be accepted. On this basis, it will not be necessary to map the National Grid Subdivision Corridor as the definition can be relied on.

10.2.3 *Summary of recommendations*

538. I recommend that the submissions from Transpower [195.117] and [195.118] be **accepted**.

539. I recommend that the submissions from Transpower [195.119] be **rejected**.

²³⁹ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0015/120912/Memo-re-Proposed-Clause-16-Amendments-v3.pdf

540. I recommend that the Planning Map of the Proposed District Plan be amended by removing the 'National Grid Yard'.

10.3 Mainpower

10.3.1 Matters raised by submitters

541. Mainpower [249.111] 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.
542. Mainpower [249.112] also 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.
543. Finally, Mainpower [249.13] support mapping the Major Electricity Distribution Lines on the Planning Maps and seek the Major Electricity Distribution Lines Planning Map layer be retained.

10.3.2 Assessment

544. In relation to the deletion of the 'Major Electricity Distribution Line setback corridor', this amendment is supported as the proposed setbacks are detailed in the relevant rules.
545. In relation to the amended colour for the 'Major Electricity Distribution Lines', I disagree this is necessary. 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.

10.3.3 Summary of recommendations

546. I recommend that the submissions from Mainpower [249.111], [249.112] and [249.13] be **accepted**.
547. I recommend that the Planning Map of the Proposed District Plan be amended by changing the 'Major Electricity Distribution Lines' to be visually clear.

10.4 Bellgrove Rangiora Ltd

10.4.1 Matters raised by submitters

548. Bellgrove Rangiora Ltd [408.8] note that 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. They seek that the major electricity distribution corridor and distribution line shown through Bellgrove North be removed.

10.4.2 Assessment

549. 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.

10.4.3 Summary of recommendations

550. I recommend that the submission Bellgrove Rangiora Ltd [408.8] be **accepted**.
551. I recommend that the Planning Map of the Proposed District Plan be amended by removing the major electricity distribution corridor and distribution line shown through Bellgrove North.

10.5 Section 32AA assessment

552. I consider the recommended amendments to the planning maps listed above are minor in nature but will update and improve clarity and accuracy of these components of the proposed plan maps, which will be more effective in achieving EI-O1, EIO2, and EI-O3. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

11 Definitions

11.1 Introduction

553. Submissions were lodged on the following EI related Definitions in the proposed plan as notified:

Amateur radio configurations	Infrastructure cabinet
Ancillary infrastructure equipment	Lifeline utility*
Conductor*	National grid*
Critical infrastructure	National grid support structure*
Drinking water*	National grid yard
Electricity distribution	Network utility operator*
Electricity distribution line	Operational need*
Electricity transmission*	Pi-pole*
Emergency*	Pole
Emergency service	Regionally significant infrastructure
Emergency service facility*	Strategic infrastructure
Functional need*	Temporary infrastructure
Height in relation to infrastructure*	Tower*
Infrastructure	Transmission line*
Infrastructure building	

554. The definition marked with an * above ('Conductor'²⁴⁰, 'Drinking water'²⁴¹, 'Electricity transmission'²⁴², 'Emergency'²⁴³, 'Emergency service facility'²⁴⁴, 'Functional need'²⁴⁵, 'Height in relation to infrastructure'²⁴⁶, 'Lifeline utility'²⁴⁷, 'National grid'²⁴⁸, 'National grid support structure'²⁴⁹, 'Network utility operator'²⁵⁰, 'Operational need'²⁵¹, 'Pi-pole'²⁵², 'Pole'²⁵³, 'Tower'²⁵⁴, and 'Transmission line'²⁵⁵) only received submissions in support and seeking their retention as notified. I therefore recommend these definitions be retained as notified and the submissions in support be accepted.

555. I recommend that the submission from the following submitters be **accepted**:

²⁴⁰ Transpower NZ [195.3]

²⁴¹ Horticulture NZ [295.26]

²⁴² Transpower NZ [195.6] and Horticulture NZ [295.30]

²⁴³ Fire and Emergency NZ [303.2]

²⁴⁴ Fire and Emergency NZ [303.4]

²⁴⁵ Clampett Investments Ltd [284.8], Horticulture NZ [295.36], Rolleston Industrial Developments Ltd [326.10]

²⁴⁶ Mainpower[249.13]

²⁴⁷ CIAL [254.8]

²⁴⁸ Transpower NZ [195.7]

²⁴⁹ Transpower NZ [195.8]

²⁵⁰ KiwiRail [373.5]

²⁵¹ Clampett Investments Ltd [284.17] and Rolleston Industrial Developments Ltd [326.18]

²⁵² Mainpower[249.11]

²⁵³ Transpower NZ [195.10] and Mainpower[249.18]

²⁵⁴ Transpower NZ [195.15] and Mainpower[249.20]

²⁵⁵ Transpower NZ [195.16]

- Transpower NZ [195.3], [195.6], [195.7], [195.8], [195.15], [195.10], [195.16]
- Horticulture NZ [295.26], [295.30], [295.36],
- Fire and Emergency NZ [303.2], [303.4]
- Clampett Investments Ltd [284.8], [284.17]
- Rolleston Industrial Developments Ltd [326.10] [326.18]
- Mainpower [249.13], [249.11], [249.18], [249.20]
- CIAL [254.8]
- KiwiRail [373.5]

556. I recommend that no change be made to the definitions with an * in the above table.

11.2 Ancillary infrastructure equipment

11.2.1 Matters raised by submitters

557. One submission was received on this definition from Mainpower [249.7] seeking include 'telemetry equipment' be added to the definition.

11.2.2 Assessment

558. I agree with this minor amendment. I consider this amendment adds clarity to the definition.

11.2.3 Summary of recommendations

559. I recommend that the submissions from Mainpower [249.7] be **accepted**:

560. I recommend that definition of 'Ancillary Infrastructure Equipment' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

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> ²⁵⁶ , 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.
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11.3 Critical infrastructure

11.3.1 Matters raised by submitters

561. Five submissions were received on this definition. Five²⁵⁷ seek it be retained as notified.

²⁵⁶ Mainpower NZ Ltd [249.7]

²⁵⁷ CIAL[254.5], HortNZ [295.22], FENZ [303.1], Transpower [195.4] and KiwiRail [373.1]

562. Mainpower [249.8] seek that the definitions for 'critical infrastructure', 'strategic infrastructure' and 'regionally significant infrastructure' are replaced with a new definition for 'important infrastructure'.

11.3.2 Assessment

563. The suggested amendment is not supported. The definitions of 'critical infrastructure', 'regionally significant infrastructure' and 'strategic infrastructure' in the notified proposed Plan are from the RPS which is a higher order document the District Plan must be consistent with and give effect to. I consider the inclusion of a new definition of 'important infrastructure' is unnecessary. I consider retaining the definitions that give effect to the RPS (where relevant to the Waimakariri District) ensure regional consistency.

11.3.3 Summary of recommendations

564. I recommend that the submissions from the following submitters be **accepted**:

- CIAL[254.5],
- HortNZ [295.22],
- FENZ [303.1]
- KiwiRail [373.1]
- I recommend that the submissions from the following submitters be **rejected**:
- Mainpower [249.8]

565. I recommend that no change be made to the definition of 'Critical Infrastructure'.

11.4 Electricity distribution

11.4.1 Matters raised by submitters

566. One submission supports the definition and seeks it be retained as notified,²⁵⁸ and one submission seeks the following amendment to provide clarity:²⁵⁹

"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. This includes MainPower New Zealand Limited assets shown on the planning maps."

11.4.2 Assessment

567. I disagree with the suggested amendment. I note that 'Support structure' is an undefined term therefore provides less certainty than 'pole', 'pi-pole' or 'tower' which are defined terms. I also disagree that additional reference to MainPower's assets is required. If these assets meet the definition of 'Electricity distribution' they

²⁵⁸ Forest and Bird [192.9]

²⁵⁹ Mainpower NZ [249.10]

will already be included in part with the suggested addition. Summary of recommendations

568. I recommend that no change be made to the definition of 'Electricity distribution'.

11.5 Electricity distribution line

11.5.1 Matters raised by submitters

569. Three submissions were received on the definition of 'electricity distribution line'. One seeks to retain as notified.²⁶⁰

570. Transpower [195.5] seeks an 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 that are not part of the National Grid and are utilised by a network utility operator to distribute electricity.

571. Mainpower [249.11] seeks amendments to provide clarity. The amendments are as follows:

means the lines and associated support structures ~~poles, pi-poles and towers~~ utilised by a network utility operator to distribute electricity. This includes MainPower New Zealand's Limited assets shown on the planning maps.

11.5.2 Assessment

572. In relation to the submission from Transpower, I support the suggestion as I consider it adds clarity to the definition. In relation to the submission from Mainpower I disagree the amendment are required as 'Support structures' is an undefined term therefore provides less certainty than 'pole', 'pi-pole' or 'tower' which are defined terms. I consider the additional amendment are unnecessary.

11.5.3 Summary of recommendations

573. I recommend that the submission from Transpower [195.5] be **accepted**:

574. I recommend that the submission from Mainpower [249.11] be **rejected**:

575. I recommend that definition of 'Electricity distribution line' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

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> ²⁶¹ utilised by a network utility operator to distribute electricity.
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²⁶⁰ Forest and Bird [192.10]

²⁶¹ Transpower NZ Ltd [195.5]

11.6 Emergency service

11.6.1 Matters raised by submitters

576. Two submissions were received on the definition of 'emergency service.'
577. NZDF [166.1] seek to amend the definition to add 'New Zealand Defence Force' to the example services listed.
578. Fire and Emergency NZ [303.3] support the definition of 'emergency service' but seek to amend reference to 'fire service' to 'Fire and Emergency New Zealand'.

11.6.2 Assessment

579. I support the suggested amendments. I consider these amendments add clarity to the definition.

11.6.3 Summary of recommendations

580. I recommend that the submissions from the following submitters be **accepted**:
- NZDF [166.1]
 - Fire and Emergency NZ [303.3]
 - I recommend that definition of 'Emergency Service' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

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, fire service ²⁶² <u>Fire and Emergency New Zealand</u> ²⁶³ , ambulance, police, <u>New Zealand Defence Force</u> ²⁶⁴ and emergency co-ordination authorities or services.
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11.7 Emergency services training activities

11.7.1 Matters raised by submitters

581. Fire and Emergency NZ [303.5] submitted seeking a new definition of 'emergency service training activities' and also a new permitted activities across all zones for 'emergency services training activities' as to better enable Fire and Emergency to achieve its statutory function by facilitating firefighting and emergency response (including training for such circumstances). Fire and Emergency seek the following definition for 'emergency service 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.

²⁶² Fire and Emergency NZ [303.1]

²⁶³ Fire and Emergency NZ [303.3]

²⁶⁴ NZ Defence Force [166.1]

11.7.2 Assessment

582. In principle I agree that emergency service training activities should be supported by the provisions of the Proposed Plan were to ensure resource consents are not unintentionally required. In relation to the suggested new permitted activity and definition, I am unclear which rules in the Proposed Plan would require resource consent for 'emergency services training activities'. The submission states that:

'Training at a fire station can include the running out of hoses, using pumps and practicing use of other types of emergency equipment. 'Live fire training' involves setting fire to an entire existing structure, part of a structure, or something within a structure, in a controlled setting for the purposes of training.'

583. 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, I would reconsider my recommendation. In the absence of this I disagree an amendment is required.

11.7.3 Summary of recommendations

584. I recommend that the submission from Fire and Emergency NZ [303.5] be **rejected**.
585. I recommend that the definition of 'Emergency services training activities' and permitted activity rules not be added to the Proposed Plan.

11.8 Infrastructure**11.8.1 Matters raised by submitters**

586. Five submissions were received on the definition of 'infrastructure.' Two seek to retain as notified.²⁶⁵

587. NZDF [166.3] seeks to amend the definition as follows:

"has the same meaning as in section 2 of the RMA and also means defence facilities."

588. Forest and Bird [192.19] seek to exclude or more clearly define the types of infrastructure provided for or excluded from sensitive environments.

589. DOC [419.18] seek to amend the definition of infrastructure to include the definition text from the Resource Management Act 1991.

11.8.2 Assessment

590. The submission from NZDF is supported. I agree with the submitter that there does seem to be an internal inconsistency within the Proposed Plan between the definition of 'infrastructure' which does not include 'defence facilities' and the definition of both 'strategic

²⁶⁵ KiwiRail [373.2] Christchurch International Airport [254.6]

infrastructure' and 'regionally significant infrastructure' which both include 'defence facilities'. In my view, if an activity is considered to be 'strategic infrastructure' and 'regionally significant infrastructure' it should by definition also be considered 'infrastructure'. Conversely, as noted in the NZDF submission, NZDF does not currently have major facilities in Waimakariri District, and presumably any new facilities would be designated, so this inconsistency is unlikely to have any impact in practice. On balance, I support the amendment proposed by the submitter as I consider it is important to have consistency between the 'infrastructure', 'strategic infrastructure' and 'regionally significant infrastructure' definitions.

591. The submission from Forest and Bird is not supported. I consider the outcome sought within the submission is better managed by the application of the rules than the definition. I note that the provisions already contain controls on infrastructure in a range of sensitive environments including places adjoining the coastal marine area and SNAs.
592. Finally, the submission from DOC is not supported. I understand the sentiment, of avoiding cross references to other documents, but am reluctant to do this as any time this definition in s2 of the RMA is amended this would necessitate a plan change. I consider more efficient to retain reference to the statute.

11.8.3 Summary of recommendations

593. I recommend that the submissions from the following submitters be **accepted**:
- KiwiRail [373.2]
 - Christchurch International Airport [254.6]
 - NZDF [166.3]
594. I recommend that the submissions from the following submitters be **rejected**:
- Forest and Bird [192.19]
 - DOC [419.18]
595. I recommend that definition of 'Infrastructure' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

INFRASTRUCTURE	has the same meaning as in section 2 of the RMA <u>and also means defence facilities</u> ²⁶⁶
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11.9 Infrastructure building and infrastructure cabinet

11.9.1 Matters raised by submitters

11.9.1.1 Matters raised by submitters and assessment

²⁶⁶ Mainpower NZ Ltd [249.14]

596. Mainpower [249.14] submitted on the definition of 'infrastructure building' seeking it be retained as notified.²⁶⁷ Mainpower [249.15] also submitted on the definition of 'infrastructure cabinet' seeking it exclude 'electricity cabinets and kiosks'.

11.9.2 Assessment

597. The submission from Mainpower is supported. I agree that the exclusion helps to clarify the amendment to EI-R15 supported above. I also recommend a similar consequential amendment is made to the definition of 'infrastructure cabinet' to clarify that this definition does not include 'infrastructure building'.

11.9.3 Summary of recommendations

598. I recommend that the submission from Mainpower [249.14] [249.15] be **accepted**.

599. I recommend that definitions of 'Infrastructure building' and 'Infrastructure cabinet' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

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> ²⁶⁸ .
INFRASTRUCTURE CABINET	means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, <u>or electricity cabinet and kiosk</u> ²⁶⁹ .

11.10 National grid subdivision corridor

11.10.1 Matters raised by submitters

600. Transpower [195.18] seek a new definition of 'national grid subdivision corridor' as the submission states it 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 submission states that 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. The new definition is proposed below:

Means

- 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);
- b. the area 37m either side of the centreline of an above ground 220kV transmission line;

²⁶⁷ Mainpower [249.14]

²⁶⁸ Mainpower NZ Ltd [249.14]

²⁶⁹ Mainpower NZ Ltd [249.15]

c. the area 39m either side of the centreline of an above ground 350kV transmission line.”

11.10.2 Assessment

601. The submission from Transpower is supported. I consider the amendment will better give effect to Policies 10 and 11 of the NPSET.

11.10.3 Summary of recommendations

602. I recommend that the submission from Transpower [195.7] be **accepted**.

603. I recommend that definition of ‘National Grid Subdivision Corridor’ be added to the Proposed District Plan as follows and as shown in **Appendix A**:

<p><u>NATIONAL GRID SUBDIVISION CORRIDOR</u>²⁷⁰</p>	<p><u>means</u></p> <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>
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11.11 National grid yard

11.11.1 Matters raised by submitters

604. Two submissions were received on the definition ‘national grid yard.’

605. Transpower [195.9] seeks an amendment 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:

"means:

- a. the area located 12m in any direction from the outer visible edge of a foundation of a 220kV or a 350kV National Grid transmission line support structure; or
- b. the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and
- eb. 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
- ec. 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)."

²⁷⁰ Transpower NZ Ltd [195.18]

606. Federated Farmers [414.9] seek to amend the definition to be consistent with NZECP34 Code of Practice for Electrical Safe Distances, particularly section 2.4.1 around support structures. The submission has set suggested drafting however, the suggested drafting is the same as the proposed definition. As such, it is unclear the exact amendment sought by the submitter.

11.11.2 Assessment

607. The submission from Transpower is supported given the proposed amendments will ensure consistency with the National Grid Yard definition that is used in district plans throughout New Zealand. In relation to the submission from Federated Farmers, given no clear amendment were sought I do not recommend any amendment to the definition resulting from this submission.

11.11.3 Summary of recommendations

608. I recommend that the submission from Transpower [195.9] be **accepted**.

609. I recommend that the submission from Federated Farmers [414.9] be **rejected**.

610. I recommend that definition of 'National Grid Yard' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

NATIONAL GRID YARD	<p>means:</p> <ol style="list-style-type: none"> 1. the area located 12m in any direction from the outer <u>visible</u>²⁷¹ edge of a <u>foundation of a</u>²⁷² 220kV or a 350kV²⁷³ National Grid transmission line²⁷⁴ support structure; or 2. the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and²⁷⁵ 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); or²⁷⁶ 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).²⁷⁷
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²⁷¹ Transpower NZ Ltd [195.9]

²⁷² Transpower NZ Ltd [195.9]

²⁷³ Transpower NZ Ltd [195.9]

²⁷⁴ Transpower NZ Ltd [195.9]

²⁷⁵ Transpower NZ Ltd [195.9]

²⁷⁶ Transpower NZ Ltd [195.9]

²⁷⁷ Transpower NZ Ltd [195.9]

11.12 Regionally significant infrastructure

11.12.1 *Matters raised by submitters*

611. Six submissions have been received on 'regionally significant infrastructure.' Five seek to retain as notified²⁷⁸. DOC [419.22] seeks to amend the definition deleting infrastructure that is not located within the District.

11.12.2 *Assessment*

612. The submission from DOC is supported. I note that the definition has been taken from the RPS and included in full. I agree the definition can be rationalised to exclude infrastructure not located within the District. I note that the submission from DOC has suggested the removal of 'strategic infrastructure'. I disagree with this amendment as I consider 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.

11.12.3 *Summary of recommendations*

613. I recommend that the submissions from the following submitters be **accepted**:

- NZDF [166.4]
- Transpower [195.11]
- Waimakariri Irrigation Ltd [210.2]
- CIAL [254.11]
- KiwiRail [373.8]
- DOC [419.22]

614. I recommend that definition of 'Regionally significant infrastructure' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

REGIONALLY SIGNIFICANT INFRASTRUCTURE	<p>means:</p> <ol style="list-style-type: none"> 1. strategic land transport network and arterial roads; 2. Timaru Airport²⁷⁹ 3. Port of Timaru²⁸⁰ 4. commercial maritime facilities at Kaikoura,²⁸¹ 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;
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²⁷⁸ NZ Defence Force [166.4], Transpower [195.11], Waimakariri Irrigation Ltd [210.2], Christchurch International Airport [254.11], KiwiRail [373.8]

²⁷⁹ Department of Conservation [419.22]

²⁸⁰ Department of Conservation [419.22]

²⁸¹ Department of Conservation [419.22]

	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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11.13 Strategic infrastructure

11.13.1 *Matters raised by submitters*

615. Five submissions have been received on the definition 'strategic infrastructure.' Four seek to retain as notified.²⁸² DOC [419.27] seek to amend the definition so that infrastructure not located within the district should be deleted from the definition.

11.13.2 *Assessment*

616. The submission from DOC is supported. I agree the definition can be rationalised to exclude infrastructure not located within the District.

11.13.3 *Summary of recommendations*

617. I recommend that the submissions from the following submitters be **accepted**:

- NZDF [166.5]
- Transpower [195.14]
- CIAL [254.15]
- KiwiRail [373.10]
- DOC [419.27]

618. I recommend that definition of 'Strategic Infrastructure' of the Proposed District Plan be amended as follows and as shown in **Appendix A**:

STRATEGIC INFRASTRUCTURE	means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as: <ol style="list-style-type: none"> a. strategic transport networks; b. Christchurch International Airport c. Rangiora Airfield; d. Port of Lyttelton²⁸³ e. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; f. defence facilities; g. strategic telecommunications and radiocommunications facilities;
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²⁸² NZ Defence Force [166.5], Transpower [195.14], Christchurch International Airport [254.15], KiwiRail [373.10]

²⁸³ Department of Conservation [419.27]

	h. electricity transmission and distribution network including the National Grid; i. other strategic network utilities.
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11.14 Section 32AA assessment

619. I consider the recommended amendments to the definitions listed above are minor in nature but help articulate how the Proposed Plan is to be implemented and is therefore more effective in achieving EI-O1, EI-O2, and EI-O3. A full assessment of the amendments recommended to the EI Chapter are included in **Appendix C**.

12 Conclusions


620. There were 28 submissions and 397 submission points, and 40 further submissions and 161 further submission points on the EI chapter, EI-related definitions, and EI-related aspects of the planning map.
621. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Proposed Plan be amended as set out in **Appendix A** of this report.
622. The recommended responses to submissions on matters relating to the EI, and reasons, are contained in Tables B 1 to B 15 in **Appendix B** of this report.
623. For the reasons set out in the s32AA evaluation attached in **Appendix C** of this report, and in Tables B 1 to B 15 in **Appendix B** of this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

624. The Hearing Commissioners accept, accept in part, or reject submissions as outlined in **Appendix B** of this report; and
625. The Proposed Plan be amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

Name and Title		Signature
Report Author	Andrew Maclennan Associate, Incite	

Appendix A. Recommended Amendments to provisions related to Energy and Infrastructure

Where changes are recommended in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

EI - 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.²⁸⁴

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 Kaiapoi 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~~

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~~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.~~

²⁸⁴ CIAL [254.25]

- ~~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.²⁸⁵~~

Objectives	
EI-01	<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, <u>region and nation,²⁸⁶ including in response to future functional, operational and increased sustainability²⁸⁷ needs such as increased sustainability, and changing techniques and technology;²⁸⁸</u> 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-02	<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 <u>managed²⁸⁹, while taking into account their operational and functional needs avoided, remedied or mitigated²⁹⁰.</u></p>
EI-03	<p>Effects of other activities and development on energy and infrastructure The safe, efficient and effective operation, maintenance, repair, renewal,²⁹¹ upgrading and development of energy and infrastructure is not constrained or</p>

²⁸⁵ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6],

²⁸⁶ Transpower New Zealand [195.24]

²⁸⁷ MainPower [249.52]

²⁸⁸ Transpower New Zealand [195.24]

²⁸⁹ ECan [316.17]

²⁹⁰ MainPower [249.53], CIAL [254.27] and Waka Kotahi [275.12]

²⁹¹ Federated Farmers [414.68]

	compromised by <u>incompatible</u> ²⁹² activities and development, including by reverse sensitivity effects.
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.

²⁹² MainPower [249.54], CIAL [254.28]

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 more²⁹³ more environmentally sustainable outcomes associated with energy and infrastructure, <u>where possible</u>²⁹⁴, including by promoting²⁹⁵:</p> <ol style="list-style-type: none"> 1. the use of green infrastructure; 2. the increased utilisation of renewable resources; 3. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4. using low carbon materials in construction; 5. changing the way activities that generate high greenhouse gas emissions are delivered; 6. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees <u>excluding wilding or pest species</u>²⁹⁶, or the establishment and restoration of wetlands; 7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; and 8. building design with a Homestar™ certification rating of at least 6 for residential buildings, or a Green Star rating of at least 4 for commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.
EI-P5	<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 providing²⁹⁷ for the ongoing operation, maintenance, repair, renewal²⁹⁸, removal and minor upgrade of existing energy and infrastructure; 2. <u>providing for new energy and infrastructure, or more than minor upgrades to existing energy and infrastructure while</u>²⁹⁹ avoiding, remedying or mitigating adverse effects of more than minor upgrades to existing energy and infrastructure, including effects³⁰⁰ on: <ol style="list-style-type: none"> a. natural and physical resources; b. amenity values; c. <u>an existing</u>³⁰¹ sensitive activity;

²⁹³ Kainga Ora [325.25]

²⁹⁴ Kainga Ora [325.25]

²⁹⁵ Kainga Ora [325.25]

²⁹⁶ ECAN [316.20]

²⁹⁷ Transpower [195.29]

²⁹⁸ Federated Farmers [414.68] – Consequential amendment – EI-O3

²⁹⁹ Transpower [195.29]

³⁰⁰ Transpower [195.29]

³⁰¹ Transpower [195.29]

	<p>d. the safe and efficient operation of other infrastructure;</p> <p>e. the health, safety and well-being of people and communities;</p> <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>³⁰²</p> <p>3. <u>outside of the coastal environment, regionally significant new energy</u>³⁰³ and infrastructure, or major upgrades to existing <u>regionally significant energy and</u>³⁰⁴ infrastructure, should, to the extent <u>considered</u>³⁰⁵ practicable, ensure that the route or site is located outside of the following types of sensitive environments to protect such environments from significant adverse effects, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure:</p> <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC, and natural character of scheduled freshwater bodies setbacks; c. SNAs; d. buildings, other structures and settings with heritage values, and archaeological sites; e. SASM; f. places adjoining the coastal marine area;³⁰⁶ <p>4. where <u>regionally significant energy and</u>³⁰⁷ infrastructure, or major upgrades to existing <u>regionally significant energy and</u>³⁰⁸ infrastructure, cannot locate outside of the sensitive environments in (3) above, the energy and infrastructure should, to the extent considered practicable³⁰⁹, 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"> a. <u>regionally significant energy and</u>³¹⁰ infrastructure will be located in more compromised parts of the areas in (3) above where that reduces adverse effects on the values of those areas; b. techniques (such as structure selection or construction methodology) will be used to mitigate adverse effects on the areas in (3) above; c. 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>³¹¹ for residual adverse effects on indigenous biodiversity that cannot otherwise be avoided, remedied or mitigated;</p>
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³⁰² Transpower [195.29]

³⁰³ Forest and Bird [192.39]

³⁰⁴ Forest and Bird [192.39]

³⁰⁵ Transpower [195.29]

³⁰⁶ Forest and Bird [192.39]

³⁰⁷ Forest and Bird [192.39]

³⁰⁸ Forest and Bird [192.39]

³⁰⁹ Transpower [195.29]

³¹⁰ Forest and Bird [192.39]

³¹¹ ECan [316.21]

	<p>6. avoiding or mitigating³¹² 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"> a. technically feasible; b. economically viable; c. justified by the extent of adverse visual effects if not placed underground.
EI-P6	<p>Effects of other activities and development on energy and infrastructure</p> <p>Manage adverse effects, <u>including reverse sensitivity effects³¹³, of incompatible³¹⁴ other activities and development on energy and infrastructure, including by the following:</u></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 and³¹⁵ 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 and³¹⁶ major electricity distribution lines including support structures; b. sensitive activity and development that may compromise the National Grid and³¹⁷ major electricity distribution lines, including those associated with intensive farming activities <u>indoor primary production³¹⁸</u>, 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 <u>replacement³¹⁹</u>, upgrading and development of the National Grid and³²⁰ 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"> a. <u>mapping the National Grid and identifying buffer corridors in the District Plan within which sensitive activities, including the expansion of an existing sensitive activity, are not provided for; and</u> b. <u>to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and</u>³²¹ 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

³¹² Transpower [195.29]

³¹³ Christchurch International Airport Ltd [254.31]

³¹⁴ Christchurch International Airport Ltd [254.31]

³¹⁵ Transpower NZ Ltd [195.30]

³¹⁶ Transpower NZ Ltd [195.30]

³¹⁷ Transpower NZ Ltd [195.30]

³¹⁸ Horticulture NZ [295.76], Federated Farmers [414.71], Transpower NZ Ltd [195.30]

³¹⁹ Mainpower NZ Ltd [249.60]

³²⁰ Transpower NZ Ltd [195.30]

³²¹ Transpower NZ Ltd [195.30]

	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. All of the provisions in the following District-wide chapters apply in addition to Energy and Infrastructure:
 - m. SD – Strategic Directions
 - n. TRAN - Transport;
 - o. HS - Hazardous substances;
 - p. CL - Contaminated land;
 - q. NH - Natural hazards;
 - r. SUB - Subdivision;
 - s. EW - Earthworks;
 - t. LIGHT - Light;
 - u. NOISE - Noise; and
 - v. 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 - Notable Trees,
 - c. SASM - Sites and Areas of Significance to Maori,
 - d. ECO - Ecosystems and Indigenous Biodiversity,
 - e. NATC - Natural Character of Freshwater Bodies,
 - w. NFL - Natural Features and Landscapes, and
 - x. CE - Coastal environment.
3. The rules in the District-wide chapters listed in (2) above do not apply to Energy and Infrastructure, instead the rules in the Energy and Infrastructure chapter apply, except in the following circumstances:
 - a. New irrigation infrastructure must comply with ECO-R4 and NFL-R8;
 - b.
 - c. New buildings and structures within a SAL, ONF and ONF must comply with NFL-S1 and NFL-S2; and
 - d. 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. Where specified in the Energy and Infrastructure rules;
 - b. The Special Purpose Zone (Hospital) rules apply to activities on the Rangiora and Oxford hospital sites;
 - c. 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;
 - d. The Energy and Infrastructure rules apply in the Special Purpose Zone (Kainga Nohoanga) (see SPZ(KN)-APP1 and SPZ(KN)-APP2);

- e. Habitable buildings are subject to the rules of the zone in which they are to be located.³²²

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

EI-R1	Maintenance or removal of existing infrastructure and ancillary vehicle access tracks	
	<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: 1. the activity shall comply with Earthworks standards EW-S1 to EW-S7, as well as any Earthworks standards in any relevant overlay. ³²³	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u> ³²⁴ 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: 1. a new customer connection shall not involve alteration to a <u>historic heritage building or other structure listed in HH-SCHED2 with heritage values.</u> ³²⁵	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> ³²⁶

³²² Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6],

³²³ Transpower [195.32]

³²⁴ Chorus, Spark and Vodafone [62.66]

³²⁵ Clause 16(2)

³²⁶ Chorus, Spark and Vodafone [62.66]

2. a new customer connection shall not involve earthworks in 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;

	<p>b. places adjoining the coastal marine area.</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> <p>a. ONF, ONL and SAL;</p> <p>b. areas of ONC, VHNC and HNC; and</p> <p>c. places adjoining the coastal marine area.</p> <p>5. above ground infrastructure for a new customer connection shall comply with all other relevant or applicable Energy and Infrastructure rules.</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> <p>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 not be located in the following areas (except where located in a road corridor):</p> <p>a. SNAs;</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment</p>

	<p>b. ONF, ONL and SAL; and c. areas of ONC, VHNC and HNC.</p>	
EI-R6	Trimming or removal of trees and vegetation	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 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. <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>³²⁷ 	<p>Activity status when compliance not achieved: N/A</p>
	<p>Advisory Notes</p> <ul style="list-style-type: none"> This rule applies to situations such as protecting the <u>security</u>³²⁸, safe operation or maintenance of <u>infrastructure</u>³²⁹ overhead lines or removing an associated potential fire <u>electrical risk or risk to the public</u>³³⁰, 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 NZCEP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. <u>The Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7.</u>³³¹ 	

³²⁷ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

³²⁸ Transpower [195.33]

³²⁹ KiwiRail [373.26]

³³⁰ Transpower [195.33]

³³¹ Consequential amendment Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6]

EI-R7	Freestanding pole in the road corridor <i>This rule does not apply to poles provided for in the activities in the following rules:</i> <ul style="list-style-type: none"> - <u>EI-R12 Replacement of a pole or tower</u> - <u>EI-R24 New overhead transmission lines and electricity distribution lines and supporting poles and towers</u> - <u>EI-R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers</u> - <u>EI-R28 New overhead telecommunication lines and supporting poles</u> - <u>EI-R29 New amateur radio configurations</u> - <u>EI-R41 New small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation</u> - <u>EI-R44 New large scale wind turbine(s) for large scale renewable electricity generation</u>³³² 	
All Zones	Activity status: PER Where: <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 b. all other zones: 25m. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD14 - Extent of effects
EI-R8	Installation of new infrastructure within an existing building	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values.</u>³³³ 	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> ³³⁴
EI-R9	Use of temporary infrastructure	


³³² Clause 16(2) amendment³³³ Clause 16(2)³³⁴ Chorus, Spark and Vodafone [62.66]

	<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> <ol style="list-style-type: none"> 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 which time the temporary infrastructure shall be removed from the site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³³⁵ EI-MD4 - Health and safety EI-MD14 - Extent of effects</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> <ol style="list-style-type: none"> 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)³³⁶: <ol style="list-style-type: none"> the root protection area of a notable tree, except where the installation: 	<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 (<u>clause 4 only</u>)³³⁹ EI-MD3 - Operational considerations</p>

³³⁵ Chorus, Spark and Vodafone [62.66]³³⁶ Chorus, Spark and Vodafone [62.30]³³⁹ Transpower NZ Ltd [195.35]

<ul style="list-style-type: none"> <li style="margin-bottom: 5px;">i. is at least 1m below ground level; <li style="margin-bottom: 5px;">and <li style="margin-bottom: 5px;">ii. is limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; <li style="margin-bottom: 5px;">and <li style="margin-bottom: 5px;">iii. has an entry point either: <ul style="list-style-type: none"> <li style="margin-bottom: 5px;">a. located outside of the root protection area; <li style="margin-bottom: 5px;">or <li style="margin-bottom: 5px;">b. with a maximum area of less than 1m²; <li style="margin-bottom: 5px;">b. SNAs; <li style="margin-bottom: 5px;">and <li style="margin-bottom: 5px;">c. places adjoining the coastal marine area; <li style="margin-bottom: 5px;">and 2. <u>upgrades of existing underground infrastructure</u>³³⁷ (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), 	
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³³⁷ Chorus, Spark and Vodafone [62.30]

	<p>upgrades of existing underground infrastructure³³⁸ underground infrastructure shall not increase the area occupied by the infrastructure, or realign or relocate the infrastructure, so that it further encroaches into the areas listed in (1) above. </p>	
	<p>Advisory Note</p> <ul style="list-style-type: none"> See also EI-R11 Relocation of 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> ³⁴⁰ 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. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³⁴¹ EI-MD10 - Relocation of existing infrastructure</p>
	<p>Exemption</p> <ul style="list-style-type: none"> This rule does not apply to transport infrastructure. 	
	<p>Advisory Note</p> <ul style="list-style-type: none"> See also EI-R10 (2) Installation of new infrastructure, or upgrading of existing infrastructure, underground.³⁴² 	
EI-R12	Replacement of a pole or tower	
All Zones	<p>Activity status: PER Where:</p> <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 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³⁴⁸ EI-MD14 - Extent of effects</p>

³³⁸ Chorus, Spark and Vodafone [62.30]

³⁴⁰ Chorus, Spark and Vodafone [62.31]

³⁴¹ Chorus, Spark and Vodafone [62.66]

³⁴² Chorus, Spark and Vodafone [62.31]

³⁴⁸ Chorus, Spark and Vodafone [62.66]

	<p>replaced pole or tower <u>by more than 15%</u>³⁴³;</p> <p>9. the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point;</p> <p>10. a single pole may be replaced with a pi-pole (or H-pole)³⁴⁴ 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>³⁴⁵;</p> <p>11. the footprint of a <u>replaced replacement</u>³⁴⁶ tower shall not exceed the width of the <u>replaced</u>³⁴⁷ tower by more than 25%; and</p> <p>12. a replaced pole or tower shall be removed once its replacement is in place and is operational.</p>	
EI-R13	Addition to a pole or tower	
All Zones	<p>Activity status: PER Where:</p> <p>1A. <u>equipment added to a pole or tower shall not exceed one of either a. or b. below:</u></p> <p>a. <u>a maximum volume of 2m³; or</u>³⁴⁹</p> <p>4.b. the combined diameter or width of the existing pole or</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 environment</u>³⁵³</p> <p><u>EI-MD2 – Amenity values, location and design</u>³⁵⁴</p> <p><u>EI-MD3 - Operational considerations</u>³⁵⁵</p> <p>EI-MD14 - Extent of effects</p>

³⁴³ Transpower NZ Ltd [195.37]

³⁴⁴ Mainpower NZ Ltd [249.72]

³⁴⁵ Mainpower NZ Ltd [249.72]

³⁴⁶ Mainpower NZ Ltd [249.72]

³⁴⁷ Mainpower NZ Ltd [249.72]

³⁴⁹ Mainpower [249.74]

³⁵³ Mainpower [249.97]

³⁵⁴ Mainpower NZ Ltd [249.74]

³⁵⁵ Chorus, Spark and Vodafone [62.66]

	<p>tower plus the addition of <u>equipment</u>³⁵⁰ (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 exceed</u>³⁵¹ 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.³⁵²</p>	
EI-R14	Replacement of an antenna	
All Zones	<p>Activity status: PER Where:</p> <p>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%.</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³⁵⁶ EI-MD14 - Extent of effects</p>
EI-R15	Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u>³⁵⁷, or infrastructure building	

³⁵⁰ Mainpower NZ Ltd [249.74]

³⁵¹ Mainpower NZ Ltd [249.74]

³⁵² Mainpower NZ Ltd [249.74]

³⁵⁶ Chorus, Spark and Vodafone [62.66]

³⁵⁷ Mainpower NZ Ltd [249.75]

<p>All Zones</p>	<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>³⁵⁸ of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u>³⁵⁹, 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 boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3.³⁶⁰ <p><u>2A the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u>³⁶¹</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 environment</u>³⁶²</p> <p><u>EI-MD2 – Amenity values, location and design</u>³⁶³</p> <p><u>EI-MD3 - Operational considerations</u>³⁶⁴</p> <p><u>EI-MD14 – Extent of effects</u>³⁶⁵</p>
<p>EI-R16</p>	<p>Upgrading above-ground lines, ducts, cables and pipes</p>	

³⁵⁸ Mainpower NZ Ltd [249.75]

³⁵⁹ Mainpower NZ Ltd [249.75]

³⁶⁰ Mainpower NZ Ltd [249.75]

³⁶¹ Mainpower [249.75]

³⁶² Mainpower [249.97]

³⁶³ Mainpower NZ Ltd [249.75]

³⁶⁴ Chorus, Spark and Vodafone [62.66]

³⁶⁵ Mainpower NZ Ltd [249.75]

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>³⁶⁶ 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>³⁶⁷ longer or more efficient insulators; e. the addition of <u>adding</u>³⁶⁸ of cross arms; f. the bundling of lines (in the absence of cross arms); g. the addition of <u>adding</u>³⁶⁹ earth wires (which may contain telecommunication lines, earthpeaks and lightning rods); or h. their replacement <u>of any of the above</u>.³⁷⁰ 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: 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³⁷¹ EI-MD14 - Extent of effects</p>
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³⁶⁶ Mainpower NZ Ltd [249.76]

³⁶⁷ Mainpower NZ Ltd [249.76]

³⁶⁸ Mainpower NZ Ltd [249.76]

³⁶⁹ Mainpower NZ Ltd [249.76]


³⁷⁰ Mainpower NZ Ltd [249.76]

³⁷¹ Chorus, Spark and Vodafone [62.66]



	<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; <ul style="list-style-type: none"> 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 above-ground duct or pipe by more than 300mm. 	
EI-R17	Installation of new mid-span poles	
All Zones	Activity status: PER Where: <ul 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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations³⁷²</u> EI-MD14 - Extent of effects
EI-R18	Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	
All Zones	Activity status: PER Where: <ul style="list-style-type: none"> 1. pipes, cables, conductors or lines: <ul style="list-style-type: none"> a. shall be attached to the underside of the³⁷³ bridge, or 	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

³⁷² Chorus, Spark and Vodafone [62.66]

³⁷³ Chorus, Spark and Vodafone [62.32]

	<p>incorporated within the bridge, tunnel or culvert structure, or within an existing attached conduit, duct or pipe;</p> <p>b. the maximum diameter of any new conduit, duct or pipe shall be 300mm; <u>and</u></p> <p>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; and³⁷⁴</p> <p>d. shall not be attached to a bridge, tunnel or culvert with heritage values.</p> 	<p>EI-MD3 - Operational consideration</p>
<p>EI-R19 New infrastructure cabinet</p>		
<p>All Zones</p>	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. a new infrastructure cabinet is located underground; or 2. 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"> a. maximum height in relation to infrastructure: 1.8m; and b. maximum floor area (excluding plinths or foundations): 1.4m²; 	<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

³⁷⁴ Chorus, Spark and Vodafone [62.32]

<ul style="list-style-type: none"> ii. all other zones: <ul style="list-style-type: none"> a. maximum height in relation to infrastructure: 2m; and b. maximum floor area (excluding plinths or foundations): 2m²; b. when located outside the road corridor in: <ul style="list-style-type: none"> i. Residential Zones: <ul style="list-style-type: none"> a. maximum height in relation to infrastructure: 2m; and b. maximum floor area (excluding plinths or foundations): 2.5m²; ii. all other zones: <ul style="list-style-type: none"> a. maximum height in relation to infrastructure: 2.5m; and b. maximum floor area (excluding plinths or foundations): 5m²; and 3. a new infrastructure cabinet shall not be located in the following areas (except where located in a road corridor): <ul style="list-style-type: none"> a. the root protection area of a notable tree; <li style="padding-left: 40px;"> <li style="padding-left: 20px;">and b. SNAs. <li style="padding-left: 40px;"> 	
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EI-R19A	New electricity cabinets and kiosks³⁷⁵	
All Zones	<p>Activity status: PER</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> <u>and</u> b. <u>13m² in area;</u> <u>and</u> 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> <u>and</u> b. <u>SNAs.</u>³⁷⁶ 	<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></p> <p><u>EI-MD2 - Amenity values, location and design</u></p> <p><u>EI-MD3 - Operational consideration³⁷⁷</u></p>


EI-R19B	New, or expansion of existing, transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)³⁷⁸	
	<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> 	





³⁷⁵ Mainpower NZ Ltd [249.80]

³⁷⁶ Mainpower NZ Ltd [249.80]

³⁷⁷ Mainpower NZ Ltd [249.80]




³⁷⁸ Mainpower NZ Ltd [249.87]

<p>All Zones</p>	<p>Activity status: PER <u>Where:</u></p> <ol style="list-style-type: none"> 4. <u>the activity shall comply with the following when located in the road corridor:</u> <ol style="list-style-type: none"> a. <u>maximum floor area (excluding plinths or foundations): 10m²;</u> b. <u>maximum height in relation to infrastructure: 3m;</u> 5. <u>the activity shall comply with the following when located outside the road corridor:</u> <ol style="list-style-type: none"> a. <u>maximum height in relation to infrastructure: 5.5m;</u> b. <u>maximum floor area (excluding plinths or foundations): 40m²;</u> 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> 6. <u>the activity shall not be 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>  	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</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>
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	<p>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>;  <u>and</u> g. <u>places adjoining the coastal marine area</u>. </p>	<p><u>EI-MD5 - Electricity generation</u>³⁷⁹</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 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 relation to boundary and internal boundary setbacks for the zone or adjoining zone; and 	<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

	<p>3. a new infrastructure building 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; b. SASM; c. SNAs; d. ONF, ONL and SAL; and e. areas of ONC, VHNC and HNC. 	
EI-R21	Activities that generate radiofrequency fields	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. any activity generating radiofrequency fields shall not exceed the maximum exposure level for the general public in NZS 2772.1:1999 Radiofrequency Fields - Maximum Exposure Levels - Part 1 - 3 kHz to 300 GHz. 	<p>Activity status when compliance not achieved: NC</p>
EI-R22	Activities that generate electric and magnetic fields	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. 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 	<p>Activity status when compliance not achieved: NC</p>

	<p>physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No. 238, June 2007).</p>	
<p>EI-R23</p>	<p>Construction of new, or widening or extension of existing³⁸⁰, vehicle access tracks ancillary to infrastructure which <u>that</u>³⁸¹ are located in specified sensitive environments</p>	
<p>All Zones</p>	<p>Activity status: RDIS Where:</p> <ul style="list-style-type: none"> 2. the new vehicle access track is located within the following areas: <ul 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;  d. the root protection area of a notable tree;  e. SNAs;  and f. places adjoining the coastal marine area. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> EI-MD1 - Historic heritage and the natural environment EI-MD9 - Construction of new, or widening or extension of existing, vehicle 	<p>Activity status when compliance not achieved: N/A</p>

³⁸⁰ Transpower NZ Ltd [195.40]

³⁸¹ Transpower NZ Ltd [195.40]

access tracks ancillary to infrastructure

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; 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): <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), and Special Purpose Zone (Pines Beach and Kairaki 	<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-MD6 - Electricity transmission and electricity distribution





	Regeneration): 18m; and b. all other zones and the adjoining road corridor: 25m.	
EI-R25	Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building) ³⁸²	
	<i>This rule does not include:</i> • new permanent emergency or back-up electricity generation provided for in EI-R36.	
All Zones	<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 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): 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; b. maximum floor area (excluding plinths or foundations): 30m²; c. in or adjoining Residential Zones, Special Purpose 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <p>EI-MD1 – Historic heritage and the natural environment EI-MD2 – Amenity values, location and design EI-MD3 – Operational considerations³⁸³</p>

³⁸² Mainpower NZ Ltd [249.87]³⁸³ Mainpower NZ Ltd [249.87]

<p style="text-align: center;">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> <ul style="list-style-type: none"> a. the root protection area of a notable tree; b. SASM; c. SNAs; d. ONF, ONL and SAL; e. areas of ONG, VHNG and HNC; f. natural character of scheduled freshwater bodies setbacks; and g. places adjoining the coastal marine area. 	
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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 Where:</p> <p>1. the activity shall not be located in the following areas (except where located in a road corridor):</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD1 - Historic heritage and the natural environment</p>





	<ul 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;  d. places adjoining the coastal marine area;  e. the root protection area of a notable tree;  f. SASM;  g. SNAs; <p>2. in the road corridor:</p> <ul style="list-style-type: none"> a. supporting poles and towers shall have the following maximum height in relation to infrastructure when adjoining: <ul style="list-style-type: none"> i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m; ii. all other zones: 25m; b. dish antennas shall have the following maximum diameter when adjoining: <ul style="list-style-type: none"> i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.38m; ii. all other zones: 1.2m; 	<p>EI-MD2 - Amenity values, location and design</p> <p>EI-MD3 - Operational considerations</p>
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	<p>3. outside the road corridor:</p> <ul style="list-style-type: none">a. supporting poles and towers shall have the following maximum height in relation to infrastructure in:<ul style="list-style-type: none">i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18mii. Commercial and Mixed Use Zones, Industrial Zones and all other Special Purpose Zones:<ul style="list-style-type: none">a. 25m; orb. 30m where two or more infrastructure operators utilise the same structure;iii. Rural Zones:<ul style="list-style-type: none">a. 35m; orb. 40m where two or more infrastructure operators utilise the same structure;b. dish antennas shall have the following maximum diameter in:<ul style="list-style-type: none">i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m;	
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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 style="padding-left: 20px;">a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) <u>and the adjoining road corridor</u>³⁸⁴: 2.5m;</p> <p style="padding-left: 20px;">b. all other zones and the adjoining road corridor: 6m;</p> <p>5. omni-directional 'whip' or dipole antennas shall comply with the following:</p> <p style="padding-left: 20px;">a. maximum height: 1.6m and may extend above the maximum height in relation to infrastructure of the supporting pole or tower;</p> <p style="padding-left: 20px;">b. maximum diameter: 60mm;</p> <p style="padding-left: 20px;">c. maximum horizontal length: 1.5m; and</p> <p>6. panel antennas shall comply with either of the following, whichever is the lesser:</p>	
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³⁸⁴ Chorus, Spark and Vodafone [62.33]

	<ul style="list-style-type: none"> a. a maximum width of 0.7m and a maximum length of 3.5m; or b. a maximum surface area of the largest face of 1.5m². 	
EI-R27	New radiocommunication and telecommunication facilities attached to buildings	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. dish antennas shall comply with the following maximum diameter in: <ul style="list-style-type: none"> a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m; b. all other zones: 1.8m; 2. panel antennas shall comply with either of the following, whichever is the lesser: <ul style="list-style-type: none"> a. a maximum width of 0.7m and a maximum length of 3.5m; or b. a maximum surface area of the largest face of 1.5m²; 3. any antenna shall not exceed a maximum height of 5m above the highest point of attachment to a building; 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 	<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

	<p>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.</p> 	
EI-R28	New overhead telecommunication lines and supporting poles	
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. places adjoining the coastal marine area;  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): <ol style="list-style-type: none"> a. the root protection area of a notable tree; b. SNAs;   <p>and</p> 3. supporting poles shall comply with the following maximum height in relation to infrastructure in: <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</u> 	<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><u>the adjoining road corridor</u>³⁸⁵: 18m; and</p> <p>b. all other zones and the adjoining road corridor: 25m.</p>	
EI-R29	New amateur radio configurations	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 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>³⁸⁶ <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>³⁸⁷ 2. there shall be a maximum of one pole per site.³⁸⁸ 3. any antenna other than a simple wire dipole <u>or dish antenna</u>³⁸⁹ shall comply with the following: <ol 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 	<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

³⁸⁵ Chorus, Spark and Vodafone [62.34]

³⁸⁶ New Zealand Association of Radio Transmitters, Inc. [157.1]

³⁸⁷ New Zealand Association of Radio Transmitters, Inc. [157.1]

³⁸⁸ Waimakariri District Council [367.16]

³⁸⁹ New Zealand Association of Radio Transmitters, Inc. [157.1]

	<p>length shall be a maximum of 13m;</p> <p>c. no part of any antenna, pole or guy wire shall overhang the boundary of the site; and</p> <p>4. any dish antenna <u>with a maximum diameter of 2m or more</u>³⁹⁰ shall comply with the following:</p> <p><u>a1. there shall be no more than one such dish antenna;</u></p> <p>a. <u>the dish antenna shall have</u>³⁹¹ a maximum diameter of: 5m;</p> <p>b. <u>the dish antenna shall be pivoted at</u> less than 4m above the ground <u>level;</u></p> <p>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>³⁹² shall comply with building height in relation to boundary and boundary setbacks for the zone or adjoining zone; and</p> <p>d. a maximum of one dish antenna per site.³⁹³</p>	
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³⁹⁰ New Zealand Association of Radio Transmitters, Inc. [157.1]

³⁹¹ New Zealand Association of Radio Transmitters, Inc. [157.1]

³⁹² New Zealand Association of Radio Transmitters, Inc. [157.1]

³⁹³ Waimakariri District Council [367.16]

	<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>³⁹⁴ 	
EI-R30	New communication kiosk	
All Zones	<p>Activity status: PER Where:</p> <ul 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 	<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





³⁹⁴ New Zealand Association of Radio Transmitters, Inc. [157.1]

	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.	
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 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; and ii. is limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; 	<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-MD7 - Gas distribution

	<p>and iii. has an entry point either: a. located outside of the root protection area; or b. with an area of less than 1m²; b. SNAs; c. places adjoining the coastal marine area; d. ONF, ONL and SAL; and e. areas of ONC, VHNC and HNC.</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. • 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-R33 An increase in the carrying or operating capacity, efficiency or security of existing gas distribution pipeline and fuel systems</p>		
<p>All Zones</p>	<p>Activity status: PER Where: 1. if infrastructure is replaced, the replacement shall be of the same or a similar scale and character to that which is replaced.</p>	<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, locations and design EI-MD3 - Operational considerations</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; and EI-R11 Relocation of infrastructure. • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. 		

	<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-R34	New tanks for the storage of gas and fuel (including LPG)	
All Zones	<p>Activity status: PER Where:</p> <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;  ONF, ONL and SAL; areas of ONC, VHNC and HNC; and natural character of scheduled freshwater bodies setbacks.  	<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
	<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. 	
EI-R35³⁹⁵	Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)	
	<i>This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36.</i>	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> new transformers, substations, switching 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:</p>

³⁹⁵ Mainpower [249.87]



	<p>stations, and energy storage batteries are ancillary to electricity generation;</p> <p>2. the activity shall comply with the following when located in the road corridor:</p> <ul style="list-style-type: none"> a. maximum floor area (excluding plinths or foundations): 10m²; b. maximum height in relation to infrastructure: 3m; <p>3. the activity shall comply with the following when located outside the road corridor:</p> <ul 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 relation to boundary and internal boundary setbacks for the zone or adjoining zone; and <p>4. the activity shall not be located in the following areas (except where located in a road corridor):</p>	<p>EI-MD1 – Historic heritage and the natural environment</p> <p>EI-MD2 – Amenity values, locations and design</p> <p>EI-MD3 – Operational considerations</p> <p>EI-MD4 – Health and safety</p> <p>EI-MD5 – Electricity generation</p>
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	<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, VHNG and HNG;</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>	
All Zones	<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. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD3 - Operational considerations</u>³⁹⁶ EI-MD14 - Extent of effects</p>
EI-R37	New electricity generation other than renewable electricity generation	
	<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>	

³⁹⁶ Chorus, Spark and Vodafone [62.66]

All Zones	Activity status: NC	Activity status when compliance not achieved: N/A
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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 structure listed in HH-SCHED2 with heritage values.</u>³⁹⁷ 	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

³⁹⁷ 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: <ul 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): 	<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>³⁹⁹ EI-MD5 - Electricity generation

³⁹⁹ Chorus, Spark and Vodafone [62.66]

	<p>a. on new buildings, shall comply with 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>³⁹⁸</p> 	
EI-R41	New small scale <u>free standing and roof mounted</u>⁴⁰⁰ wind turbine(s) for small scale or community scale renewable electricity generation	
All Zones	<p>Activity status: PER Where:</p> <p>1. the activity involves the installation, maintenance, upgrading or removal of a small scale wind</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>

³⁹⁸ Clause 16(2)⁴⁰⁰ Waimakariri District Council [367.50]

	<p>turbine(s) in the circumstances specified below;</p> <ol style="list-style-type: none"> 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 placed on each site or the turbines clustered on one or more of the sites; 5. new installations shall not involve alteration to a <u>historic heritage structure listed in HH-SCHED2 with heritage values</u>,⁴⁰¹ 6. the activity shall not be located in the following areas: <ol style="list-style-type: none"> a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; 	<p>EI-MD3 - Operational considerations EI-MD4 - Health and safety EI-MD5 - Electricity generation</p>
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⁴⁰¹ Clause 16(2)

	<p>c. <u>SNA's</u>⁴⁰²;</p> <p>7. <u>for free standing wind turbines:</u>⁴⁰³</p> <p>a. each wind turbine (including the full extent of blades) shall comply with road and internal boundary building setback requirements for the zone; and</p> <p>b. the maximum permitted height in relation to infrastructure of each wind turbine (including the full extent of blades) is 20m.</p> <p>8. <u>for roof mounted wind turbines:</u></p> <p>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>b. <u>there shall be no more than one wind turbine per building; and</u></p> <p>c. <u>the wind turbine shall be exempt</u></p>	
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⁴⁰² Department of Conservation [419.47]


⁴⁰³ Waimakariri District Council [367.50]

	<u>from height in relation to boundary requirements.</u> ⁴⁰⁴	
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EI-R42	New solar hot water systems	
All Zones	<p>Activity status: PER Where:</p> <p><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><u>1B the hot water generated is solely for use on a site and ancillary to the principal use of the site.</u>⁴⁰⁵</p> <p>1. 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):</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 	<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-MD14 - Extent of effects</p>

⁴⁰⁴ Waimakariri District Council [367.50]

⁴⁰⁵ Daiken NZ [145.17]

	<p>boundary requirement, the solar hot water system may also breach it; or</p> <p>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> <p>2. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values.</u>⁴⁰⁶</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. 		
<p>EI-R43</p>	<p>New infrastructure for the generation of renewable energy including renewable electricity generation from waste</p>	
<p><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></p>		
<p>All Zones</p>	<p>Activity status: 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 	<p>Activity status when compliance not achieved: N/A</p>

⁴⁰⁶ Clause 16(2)

	<p>EI-MD8 - Water supply, wastewater system, and stormwater infrastructure</p>	
EI-R44	New large scale wind turbine(s) for large scale renewable electricity generation	
All Zones	<p>Activity status: DIS Where:</p> <ol style="list-style-type: none"> 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. 	<p>Activity status when compliance not achieved: N/A</p>
EI-R44A	Large scale solar electricity generation⁴⁰⁷	
All Zones	<p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> 2. <u>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.</u> <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>	<p><u>Activity status when compliance not achieved: N/A</u></p>

Activity Rules - Water, wastewater, stormwater

⁴⁰⁷ Waimakariri District Council [367.15]

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> ⁴⁰⁸	
All Zones	Activity status: PER Where: 1. any new building, other than an accessory building: 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> ⁴⁰⁹ : i. a public drinking water supply; ii. a public wastewater system; 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: 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	Activity status when compliance not achieved: DIS

⁴⁰⁸ Daiken NZ [145.18]⁴⁰⁹ Daiken NZ [145.18]

	<p>Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where:</p> <ul style="list-style-type: none"> a. the drinking water supplier will accept a connection to the supply from the site; and b. 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); iv. a public wastewater system is considered to 	
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	<p>be available in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where:</p> <ul style="list-style-type: none"> a. a wastewater pipeline passes within 50m of the site boundary; and b. the wastewater system operator will accept the wastewater from the site; and c. the distance from the wastewater system to the building from which wastewater is generated is less than 100m; 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 	
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	<p>2. any new building, other than an accessory building with a floor area of 10m² or less:</p> <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 reticulated stormwater infrastructure; and b. when located in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones, shall manage stormwater on site 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>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	<p>Construction of new, or renewal or upgrading of existing, water supply, wastewater system, or stormwater infrastructure</p>	

<p>All Zones</p>	<p>Activity status: PER 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: <ol style="list-style-type: none"> a. involve installation at least 1m below ground level; <ol style="list-style-type: none"> and b. are limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; <ol style="list-style-type: none"> and c. have an entry point either: <ol style="list-style-type: none"> i. located outside of the root protection area; or ii. with an area of less than 1m²; 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): <ol style="list-style-type: none"> a. SASM; 	<p>Activity status when compliance with EI-R46 (1) to (4) and (6) 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 - 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>
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	<p>6. new water supply storage and treatment facilities are not located in the following areas:</p> <ol style="list-style-type: none"> a. SASM; b. ONF, ONL and SAL; c. areas of ONC, VHNC and HNC; d. natural character of scheduled freshwater bodies setbacks; and e. SNAs. 	
	<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. 	
EI-R47	New rainwater collection systems for non-potable use	
All Zones	<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. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD14 - Extent of effects</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. 	
EI-R48	Requirement to provide water supply for firefighting	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. provision for sufficient water supply and access to water 	<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>supplies for firefighting is available to all buildings (excluding accessory buildings <u>and infrastructure buildings</u>⁴¹⁰ 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</p> <p>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>	<p>Notification</p> <p>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

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

⁴¹⁰ Mainpower NZ Ltd [249.91]

	<p>upgrades 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>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 New, or extension or expansion of existing, community scale irrigation/stockwater networks</p>		
<p>Rural Zones</p>	<p>Activity status: DIS Where:</p> <ol style="list-style-type: none"> 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>Activity status when compliance not achieved: N/A</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</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>the activity is not a sensitive activity;</u> 2. <u>buildings or structures comply with NZECP34: 2001 and are:</u> <ol style="list-style-type: none"> a. <u>for a network utility; or</u> b. <u>a fence not exceeding 2.5m in height above ground level; or</u> c. <u>a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <ol style="list-style-type: none"> i. <u>a milking shed/dairy shed (excluding the stockyards and ancillary platforms),</u> ii. <u>a wintering barn,</u> iii. <u>a building for intensive indoor primary production⁴¹¹</u> ⁴¹² <u>, or</u> iv. <u>a commercial greenhouse or</u> 	<p>Activity status when compliance not achieved: NC</p> <p>Notification</p> <p>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>

⁴¹¹ Transpower NZ Ltd [195.43]

⁴¹² Horticulture NZ [295.80]

	<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>3. <u>a building or structure provided for by (2)(a) to (d) must:</u></p> <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 6m from the outer visible edge of a foundation of a National Grid</u></p>	
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	<p style="text-align: center;"><u>support structure.</u>⁴¹³</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 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 style="padding-left: 40px;">i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for</p>	
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⁴¹³ Transpower NZ Ltd [195.43]

	<p>Electricity Safe Distances for separation distances from the conductor;</p> <ul style="list-style-type: none"> 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; <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>	
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	<p>f. mobile irrigation equipment used for agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure;</p> <p>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.⁴¹⁴</p>	
<p>All Zones</p>	<p>Activity status: NC Where:</p> <ol style="list-style-type: none"> activities and development within a National Grid Yard involve the following: 	<p>Activity status when compliance not achieved: N/A</p>

⁴¹⁴ Transpower NZ Ltd [195.43]

	<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 primary production</u>^{415, 416, 417} or <u>intensive farming</u>^{415, 416, 417} 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. 	

⁴¹⁵ Transpower NZ Ltd [195.43]

⁴¹⁶ Horticulture NZ [295.80]

⁴¹⁷ Federated Farmers of NZ Inc. [414.81]

EI-R52	<u>Earthworks (other than quarry or landfill)⁴¹⁸ and the disturbance of land for the installation of fence posts⁴¹⁹ within a National Grid Yard</u>	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. around National Grid support towers:⁴²⁰ <u>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 structure⁴²¹:</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;⁴²² 2. <u>earthworks and the disturbance of land for the installation of fence posts⁴²³ 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</u> 	<p>Activity status when compliance with EI-R52 (1) not achieved: RDIS Matters of discretion are restricted to: 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>

⁴¹⁸ Transpower NZ Ltd [195.44]⁴¹⁹ Transpower NZ Ltd [195.44]⁴²⁰ Transpower NZ Ltd [195.44]⁴²¹ Transpower NZ Ltd [195.44]⁴²² Transpower NZ Ltd [195.44]⁴²³ Transpower NZ Ltd [195.44]

	<p><u>posts</u>⁴²⁴ 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. <u>earthworks and the disturbance of land for the installation of fence posts</u>⁴²⁵ shall not result in <u>existing</u>⁴²⁶ vehicular access to a National Grid support structure being permanently obstructed.</p>	
EI-R52A ⁴²⁷	<u>Earthworks within a National Grid Yard</u>	
<u>All Zones</u>	<p><u>Activity status: RDIS</u> <u>Where:</u></p> <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</u> 	<p><u>Matters of discretion are restricted to:</u> <u>EI-MD12 National Grid</u></p> <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>⁴²⁸</p>

⁴²⁴ Transpower NZ Ltd [195.44]⁴²⁵ Transpower NZ Ltd [195.44]⁴²⁶ Transpower NZ Ltd [195.44]⁴²⁷ Transpower NZ Ltd [195.44]⁴²⁸ Transpower NZ Ltd [195.44]

	<p><u>below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</u></p> <p>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>	
	<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);⁴²⁹ • 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. 	
	<p>Advisory Note</p> <ul style="list-style-type: none"> • National Grid transmission lines are shown on the planning map. 	
EI-R53	<p>Any quarry or landfill on the same site as a National Grid support structure^{430, 431}</p>	
All Zones	<p>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.</p>	<p>Activity status when compliance not achieved: N/A</p>

⁴²⁹ Transpower NZ Ltd [195.44]

⁴³⁰ Transpower NZ Ltd [195.44]

⁴³¹ Federated Farmers of NZ Inc. [414.83]

Advisory Note

- 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 33kV <u>major</u> ⁴³² electricity distribution line	
All Zones	<p>Activity Status: PER Where:</p> <ol style="list-style-type: none"> <u>1. earthworks shall be setback at least 6m from the centreline of a major electricity distribution line as shown on the planning map; or</u>⁴³³ <u>earthworks shall not exceed 3m in depth between 6m and 40m from the visible outer edge of a foundation of a 66kV or 33kV electricity distribution line pole or tower</u>⁴³⁴; <u>2. earthworks shall meet the following requirements:</u> <ol style="list-style-type: none"> <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> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity</u> 	<p>Activity status when compliance not achieved: RDIS-NC⁴³⁸ Matters of discretion are restricted to: EI-MD13 – Major electricity distribution lines⁴³⁹</p> <p>Notification An application for a restricted discretionary non-complying⁴⁴⁰ 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>

⁴³² Mainpower NZ Ltd [249.92]⁴³³ Mainpower NZ Ltd [249.92]⁴³⁴ Mainpower NZ Ltd [249.92]⁴³⁸ Mainpower [249.93]⁴³⁹ Mainpower [249.93]⁴⁴⁰ Mainpower [249.93]

	<p><u>distribution line pole, pi-pole or tower; and</u>⁴³⁵</p> <p>a.c. shall not destabilise a 66kV or 33kV <u>major</u>⁴³⁶ electricity distribution line pole, <u>pi-pole</u>⁴³⁷ or tower; and</p> <p>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 Code of Practice for Electricity Safe Distances are met.</p>	
	<p>Exemptions</p> <p>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>⁴⁴¹ (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 <u>prior written consent</u>⁴⁴² 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: 	

⁴³⁵ Mainpower NZ Ltd [249.92]

⁴³⁶ Mainpower NZ Ltd [249.92]

⁴³⁷ Mainpower NZ Ltd [249.92]

⁴⁴¹ Mainpower NZ Ltd [249.92]

⁴⁴² Mainpower NZ Ltd [249.92]

	<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.⁴⁴³ 	
	<p>Advisory Notes</p> <ul style="list-style-type: none"> • 66kV/33kV <u>Major</u>⁴⁴⁴ 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	Network utilities within 10m 6m⁴⁴⁵ of the centre line of a 66kV or 33kV <u>major</u>⁴⁴⁶ electricity distribution line	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 	<p>Activity status when compliance not achieved: NC</p> <p><u>Notification</u> <u>An application under this rule is precluded from being publicly notified, but may be limited notified only to Mainpower NZ where the consent authority considers this is required, absent its written approval.</u>⁴⁴⁷</p>
	<p>Advisory Note</p> <ul style="list-style-type: none"> • 66kV/33kV <u>Major</u>⁴⁴⁸ 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 <u>major</u>⁴⁴⁹ electricity distribution line	

⁴⁴³ Mainpower NZ Ltd [249.92]

⁴⁴⁴ Mainpower NZ Ltd [249.92]

⁴⁴⁵ Mainpower NZ Ltd [249.93]

⁴⁴⁶ Mainpower NZ Ltd [249.93]

⁴⁴⁷ Chorus, Spark and Vodafone [62.35]

⁴⁴⁸ Mainpower NZ Ltd [249.93]

⁴⁴⁹ Mainpower NZ Ltd [249.94]

All Zones	<p>Activity status: NC Where:</p> <ol style="list-style-type: none"> 1. <u>new, or expansion or extension of existing,</u>⁴⁵⁰ activities and development adjacent to a <u>66kV or 33kV major</u>⁴⁵¹ electricity distribution line involve the following: <ol style="list-style-type: none"> a. <u>new a sensitive activity and or a new buildings or structure</u>⁴⁵² (excluding accessory buildings)⁴⁵³ within <u>6m</u>⁴⁵⁴ of the centreline of a <u>66kV or 33kV major</u>⁴⁵⁵ electricity distribution line or within <u>40m 6m</u>⁴⁵⁶ of the <u>visible outer edge of a</u>⁴⁵⁷ foundation of an <u>associated a pole, pi-pole</u>⁴⁵⁸ or tower; <u>and or</u> a.b. <u>does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u>⁴⁵⁹ 	<p>Activity status when compliance not achieved: N/A</p>
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⁴⁵⁰ Mainpower NZ Ltd [249.95]

⁴⁵¹ Mainpower NZ Ltd [249.94]

⁴⁵² Mainpower NZ Ltd [249.94]

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⁴⁵⁴ Mainpower NZ Ltd [249.94]

⁴⁵⁵ Mainpower NZ Ltd [249.94]

⁴⁵⁶ Mainpower NZ Ltd [249.94]

⁴⁵⁷ Mainpower NZ Ltd [249.94]

⁴⁵⁸ Mainpower NZ Ltd [249.94]

⁴⁵⁹ Mainpower NZ Ltd [249.94]

	<p>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.⁴⁶⁰</p> <p>⁴⁶¹Notification 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 <u>Major</u>⁴⁶² 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. 	

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.
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⁴⁶⁰ Mainpower NZ Ltd [249.94]

⁴⁶¹ Mainpower NZ Ltd [249.94]

⁴⁶² Mainpower NZ Ltd [249.94]

	<ol style="list-style-type: none"> 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.
EI-MD2	<p>Amenity values, location and design</p> <ol style="list-style-type: none"> 1. The practicality and effectiveness of screening the infrastructure, <u>where necessary</u>.⁴⁶³ 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. 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"> 2. The extent to which the infrastructure will be located in proximity to any <u>existing</u>⁴⁶⁴ 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.

⁴⁶³ Transpower NZ Ltd [195.46]

⁴⁶⁴ Transpower NZ Ltd [195.48]

	<ol style="list-style-type: none"> 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 which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape.</u>⁴⁶⁵</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>⁴⁶⁶</p> <ol style="list-style-type: none"> 1. Extent of effects on access to and the operation, maintenance, upgrade development and structural integrity of the electricity transmission and electricity distribution network.⁴⁶⁷ 2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 3. Nature of technical advice provided by infrastructure operators and extent of compliance with it.⁴⁶⁸ 4. Risk of electrical hazards affecting public safety and risk of property damage.

⁴⁶⁵ Transpower NZ Ltd [195.49]⁴⁶⁶ Transpower NZ Ltd [195.49]⁴⁶⁷ Transpower NZ Ltd [195.49]⁴⁶⁸ Transpower NZ Ltd [195.49]

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. 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.
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</u>⁴⁶⁹-compliance with⁴⁷⁰ <u>Earthworks standards EW-S1 to EW-S7</u>.⁴⁷¹ 3. <u>Relevant assessment matters in the Earthworks Chapter and, where resource consent is required by Rules EI-R2 and EI-R23</u>⁴⁷², for the ⁴⁷³overlay. 4. <u>The benefits of the related infrastructure</u>.⁴⁷⁴

⁴⁶⁹ Transpower NZ Ltd [195.50]

⁴⁷⁰ Transpower NZ Ltd [195.50]

⁴⁷¹ Transpower NZ Ltd [195.50]

⁴⁷² Transpower NZ Ltd [195.50]

⁴⁷³ Transpower NZ Ltd [195.50]

⁴⁷⁴ Transpower NZ Ltd [195.50]

EI-MD10	<p>Relocation of existing infrastructure</p> <ol style="list-style-type: none"> 4. 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. 5. The extent to which relocation over a greater distance is necessary for safety, access, operational need or functional need reasons. 6. 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. <p>4. The benefits of the infrastructure.</p> <p>4. <u>The benefits of infrastructure.</u>⁴⁷⁵</p>
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. 4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD13	<p>Major electricity distribution lines⁴⁷⁶</p> <ol style="list-style-type: none"> 1. The extent of any impacts on the operation, maintenance, upgrading and development of the electricity distribution network. 2. The risk to the structural integrity of any affected electricity distribution line support structure(s). 3. The extent of any impact on the ability of the relevant electricity distribution network operator to access the electricity distribution network. 4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD14	Extent of effects

⁴⁷⁵ Transpower NZ Ltd [195.51]⁴⁷⁶ Mainpower NZ Ltd [249.103]

	<p>1. The extent of <u>non</u>⁴⁷⁷-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>2. <u>The benefits of the infrastructure.</u>⁴⁷⁸</p>
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Definitions

AMATEUR RADIO CONFIGURATIONS	means the antennas, aerials, and associated <u>support structures</u> ⁴⁷⁹ <u>including poles</u> which are owned and used operated ⁴⁸⁰ 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> ⁴⁸¹ , 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</u> ⁴⁸² <u>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>
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> ⁴⁸³ 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, fire service ⁴⁸⁴ <u>Fire and Emergency New Zealand</u> ⁴⁸⁵ , ambulance, police, <u>New Zealand Defence Force</u> ⁴⁸⁶ and emergency co-ordination authorities or services.

⁴⁷⁷ Transpower NZ Ltd [195.53]

⁴⁷⁸ Transpower NZ Ltd [195.53]

⁴⁷⁹ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

⁴⁸⁰ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

⁴⁸¹ Mainpower NZ Ltd [249.7]

⁴⁸² Mainpower NZ Ltd [249.9]

⁴⁸³ Transpower NZ Ltd [195.5]

⁴⁸⁴ Fire and Emergency NZ [303.1]

⁴⁸⁵ Fire and Emergency NZ [303.3]

⁴⁸⁶ NZ Defence Force [166.1]

INFRASTRUCTURE	has the same meaning as in section 2 of the RMA <u>and also means defence facilities</u> ⁴⁸⁷
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> ⁴⁸⁸ .
INFRASTRUCTURE CABINET	means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, <u>or electricity cabinet and kiosk</u> ⁴⁸⁹ .
<u>NATIONAL GRID SUBDIVISION CORRIDOR</u> ⁴⁹⁰	<p>means</p> <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>
NATIONAL GRID YARD	<p>means:</p> <ol style="list-style-type: none"> 5. the area located 12m in any direction from the outer <u>visible</u>⁴⁹¹ edge of a <u>foundation of a</u>⁴⁹² <u>220kV or a 350kV</u>⁴⁹³ <u>National Grid transmission line</u>⁴⁹⁴ <u>support structure; or</u> 6. <u>the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and</u>⁴⁹⁵ 7. 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); or⁴⁹⁶ 8. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission lineon

⁴⁸⁷ Mainpower NZ Ltd [249.14]⁴⁸⁸ Mainpower NZ Ltd [249.14]⁴⁸⁹ Mainpower NZ Ltd [249.15]⁴⁹⁰ Transpower NZ Ltd [195.18]⁴⁹¹ Transpower NZ Ltd [195.9]⁴⁹² Transpower NZ Ltd [195.9]⁴⁹³ Transpower NZ Ltd [195.9]⁴⁹⁴ Transpower NZ Ltd [195.9]⁴⁹⁵ Transpower NZ Ltd [195.9]⁴⁹⁶ Transpower NZ Ltd [195.9]

	towers (including tubular steel towers where these replace lattice steel towers). ⁴⁹⁷
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REGIONALLY SIGNIFICANT INFRASTRUCTURE	<p>means:</p> <ol style="list-style-type: none"> 15. strategic land transport network and arterial roads; 16. Timaru Airport⁴⁹⁸ 17. Port of Timaru⁴⁹⁹ 18. commercial maritime facilities at Kaikoura;⁵⁰⁰ 19. telecommunication and radiocommunication facilities; 20. national, regional and local renewable electricity generation activities of any scale; 21. the electricity transmission and distribution network; 22. sewage collection, treatment and disposal networks; 23. community land drainage infrastructure; 24. community potable water systems; 25. established community-scale irrigation and stockwater infrastructure; 26. transport hubs; 27. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; and 28. strategic infrastructure.
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STRATEGIC INFRASTRUCTURE	<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"> j. strategic transport networks; k. Christchurch International Airport l. Rangiora Airfield; m. Port of Lyttelton⁵⁰¹ n. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; o. defence facilities; p. strategic telecommunications and radiocommunications facilities; q. electricity transmission and distribution network including the National Grid; r. other strategic network utilities.
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⁴⁹⁷ Transpower NZ Ltd [195.9]

⁴⁹⁸ Department of Conservation [419.22]

⁴⁹⁹ Department of Conservation [419.22]

⁵⁰⁰ Department of Conservation [419.22]

⁵⁰¹ Department of Conservation [419.27]

Appendix B. Recommended Responses to Submissions

References to submissions includes further submissions, unless otherwise stated.

Where a further submission has been lodged in support of or in opposition to an original submission, the further submission is referenced by a footnote of 'support' or 'oppose' along with the name of the further submitter and the further submission number.

A recommendation on an original submission implies a consequential recommendation on a related further submission.

Recommended responses to submissions are presented in the following tables:

Table B 1: EI-related Definitions

Table B 2: EI Introduction

Table B 3: EI Objectives

Table B 4: EI Policies

Table B 5: EI General Rules

Table B 6: Electricity Transmission and Distribution activity rules

Table B 7: Communication Facilities activity rules

Table B 8: Fuel and Energy activity rules

Table B 9: Renewable Energy activity rules

Table B 10: Water, Wastewater, Stormwater activity rules

Table B 11: Irrigation / Stockwater Networks activity rules

Table B 12: Managing Effects of Other Activities and Development on National Grid

Table B 13: Managing Effects of Other Activities and Development on Major Electricity Distribution Lines

Table B 14: EI Matters of Discretion

Table B 15: EI-related Planning Map

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?
157.1 ⁵⁰²	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 support structures which are owned and used operated 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

⁵⁰² 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
249.8 503 504	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> <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:</u></p> <ul style="list-style-type: none"> <u>a. Strategic transport network</u> <u>b. Christchurch International Airport</u> <u>c. Telecommunication networks</u> <u>d. National, regional and local electricity generation activities undertaken by a Electricity Operator as defined by the Electricity Act 1992</u> <u>e. Electricity distribution networks</u> <u>f. Electricity transmission networks</u> <u>g. Public and community wastewater collection, treatment and disposal networks</u> <u>h. Public and community land drainage infrastructure</u> <u>i. Public and community stormwater infrastructure</u> <u>j. Public and community potable water and fire fighting supply systems infrastructure</u> <u>k. Public and community-scale irrigation and stockwater infrastructure</u> <u>l. Gas storage and distribution infrastructure</u> <u>m. Bulk fuel supply infrastructure including terminals, and pipelines</u> <u>n. Ports including inland ports</u> <u>o. New Zealand Defence Force facilities</u> <u>p. Emergency Services facilities</u> 	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

⁵⁰³ Oppose – DoC [FS 77]; Z Energy NZ, BP Oil NZ, Mobil Oil NZ [FS 104]; KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

⁵⁰⁴ 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?
			g. Public healthcare institutions"				
254.5 ⁵⁰⁵	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 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	No

⁵⁰⁵ 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> "			therefore provides less certainty than "pole", "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 Fire and Emergency New Zealand, 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</u> means defence facilities."	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
192.19 ⁵⁰⁶	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
254.6 ⁵⁰⁷	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
419.18 ⁵⁰⁸	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, electricity cabinet or kiosk."	11.9	Accept	The amendment helps give effect to [249.9] above by clarifying that this definition does not include 'infrastructure cabinet'.	Yes

⁵⁰⁶ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁵⁰⁷ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁵⁰⁸ 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?
254.8 ⁵⁰⁹	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

⁵⁰⁹ 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 support structure</u>; or</p> <p>b. the area located 10m in any direction from the outer edge of a <u>66kV National Grid transmission line support structure</u>; 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)</u>; or</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>				
414.9 ⁵¹⁰	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

⁵¹⁰ 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
254.11 ⁵¹¹	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
419.22 ⁵¹²	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	11.12	Accept	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	Yes

⁵¹¹ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁵¹² 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>infrastructure' is included in the definition of 'specified infrastructure' in the National Policy Statement for Freshwater 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>			infrastructure' definition to ensure the Proposed Plan gives effect to the RPS.	
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
254.15 ⁵¹³	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
419.27 ⁵¹⁴	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: a. strategic transport networks; b. Christchurch International Airport; c. Rangiora Airfield; d. Port of Lyttelton; ..."</p>	3.3 Table B 1	Accept	The definition can be rationalised to exclude infrastructure not located within the District.	Yes

⁵¹³ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁵¹⁴ 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	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes
195.23 ⁵¹⁵	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	4.1.1	Accept	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

⁵¹⁵ 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?
			standalone suite of provisions. As currently drafted, this directive text has the effect of applying all rules to infrastructure activities even when the activity is provided for in the Energy and Infrastructure Chapter. 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.				
249.1	Mainpower NZ Ltd	Introduction	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. Insert appropriate hyperlinks from the Energy and Infrastructure Chapter to the relevant coastal environment rules contained in the Coastal Environment Chapter.	4.1.1	Accept	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes
249.46 ⁵¹⁶	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
249.47 ⁵¹⁷	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	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	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. Amend 'Other potentially relevant District Plan provisions' by deleting existing text and replacing with the following: <u>How this Chapter works and o</u> Other potentially relevant District Plan provisions.	4.1.1	Accept	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

⁵¹⁶ Oppose – DoC [FS 77], KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

⁵¹⁷ 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></p> <p><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></p> <p><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>				
254.25 ⁵¹⁸	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	Introduction has been amended to clarify the relationship between the EI chapter, other District wide chapters, and the zones.	Yes

⁵¹⁸ 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	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
195.24 ⁵¹⁹	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

⁵¹⁹ 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; ..."				
249.52 520	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
254.26 521	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
256.10 522	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

⁵²⁰ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁵²¹ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁵²² 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
195.25 ⁵²³	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	Support replacing the terms "avoid, remedy or mitigate" with "manage" to ensure a greater spectrum of management approaches is provided	Yes
249.53 ⁵²⁴	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 ^{525,526}	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

⁵²³ Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁵²⁴ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁵²⁵ Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁵²⁶ 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?
256.11 527	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
275.12 528	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
316.17 529	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	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. Replacing the terms "avoid, remedy or mitigate" with "manage" ensures a greater spectrum of management approaches are provided.	Yes
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

⁵²⁷ Oppose - Mark McKitterick [FS 2] – Officer recommendation – reject

⁵²⁸ Support - KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

⁵²⁹ 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	The term 'incompatible' clarifies that not all activities that are located near energy and infrastructure activities will create reverse sensitivity effects.	Yes
254.28 ⁵³⁰	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 incompatible 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
256.12 ⁵³¹	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	The suggested amendments narrow the scope of the objective to ensure that energy and infrastructure is not constrained or compromised by 'incompatible' activities.	Yes
325.21 ⁵³²	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	The suggested amendments narrow the scope of the objective to ensure that energy and	Yes

⁵³⁰ Oppose – Kainga Ora [FS 88], – Officer recommendation – reject

⁵³¹ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

⁵³² 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-03: "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-03	Support EI-03 recognising the need to protect infrastructure from being unreasonably constrained or compromised by other activities. Retain EI-03 as notified.	6.3	Accept	No changes sought to the notified provision.	No
414.68 ⁵³³	Federated Farmers of NZ Inc.	EI-03	Oppose EI-03 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-03: "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-03	EI-03 applies to the whole District therefore applies to San Dona regardless of proposed rezoning. It is appropriate that EI-03 applies to San Dona as it is surrounded by Rural Lifestyle zoning. Retain EI-03 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-01, 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

⁵³³ 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>				
249.55 ⁵³⁴	Mainpower NZ Ltd	EI-P1	<p>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"</p>	7.2	Reject	Recognition to 'functional need' and 'operational need' is given in EI-P5 (3) and (4).	No
254.29 ⁵³⁵	Christchurch International Airport Ltd	EI-P1	<p>Support EI-P1, with minor amendment, as follows: "Recognise the local, regional or national benefits of energy and infrastructure through: 1. enabling the use, operation, maintenance, repair, renewal, development, and removal of energy and infrastructure; ..."</p>	7.2	Reject	It is considered 'use' is implicit in 'operation'. 'Development' is provided for under clause (2).	No
256.13 ⁵³⁶	Chloe Chai and Mark McKitterick	EI-P1	<p>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.</p>	7.2	Accept	No changes sought to the notified provision.	No
303.10	Fire and Emergency NZ	EI-P1	<p>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.</p>	7.2	Accept	No changes sought to the notified provision.	No
325.22 ⁵³⁷	Kainga Ora – Homes and Communities	EI-P1	<p>Amend EI-P1: "Recognise the local, regional or national benefits of energy and infrastructure through: ..."</p>	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

⁵³⁴ Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – accept

⁵³⁵ Oppose – Kainga Ora [FS 88], – Officer recommendation – accept

⁵³⁶ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

⁵³⁷ 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
256.14 ⁵³⁸	Chloe Chai and Mark McKitterick	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

⁵³⁸ 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?
			District therefore applies regardless of zoning. Retain EI-P2 as notified.				
316.19 ⁵³⁹	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
256.15 ⁵⁴⁰	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

⁵³⁹ Support – Momentum Land Ltd [FS 63] – Officer recommendation – accept

⁵⁴⁰ 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
256.16 ⁵⁴¹	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, <u>where possible</u> 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

⁵⁴¹ 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?
			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
419.34 ⁵⁴²	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 ^{543 544}	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, and does not avoid adverse effects on New Zealand	7.4	Accept	Amendments are required within the policy to navigate the competing higher order direction. Consider the objective and policy framework of the RPS elevates 'regionally significant	Yes

⁵⁴² Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁴³ Oppose – Waka Kotahi NZ Transport Agency [FS 110], Federated Farmers [FS 83] – Officer recommendation – reject

⁵⁴⁴ Neutral – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – neutral

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?
			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>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>	
195.29 ⁵⁴⁵	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> <p>c. <u>an existing</u> sensitive activity; ...</p>	7.4	Accept	<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

⁵⁴⁵ Support – KiwiRail Holdings Ltd [FS 99] – 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?
			<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
254.30 ⁵⁴⁶ 547	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><u>"Manage adverse effects of energy and infrastructure, 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

⁵⁴⁶ Support – KiwiRail Holdings Ltd [FS 99], Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁵⁴⁷ 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?
256.17 ⁵⁴⁸	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
325.26 ⁵⁴⁹	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

⁵⁴⁸ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject

⁵⁴⁹ 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							
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>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>				
249.60 ⁵⁵⁰	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

⁵⁵⁰ Support – KiwiRail Holdings Ltd [FS 99] – 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?
254.31 551 552	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
256.18 ⁵⁵³	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

⁵⁵¹ Oppose – Momentum Land Ltd [FS 63], Fulton Hogan [FS 118] – Officer recommendation – accept, Oppose – Kainga Ora [FS 88], – Officer recommendation – accept

⁵⁵² Support – KiwiRail Holdings Ltd [FS 99] – Officer recommendation – reject

⁵⁵³ Oppose – Mark McKitterick [FS 2] – Officer recommendation – reject, Oppose – Kainga Ora [FS 88], – 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?
			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
325.27 554 555	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

⁵⁵⁴ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

⁵⁵⁵ 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
414.71 ⁵⁵⁶	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

⁵⁵⁶ 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?
325.28 ⁵⁵⁷	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
62.62 ⁵⁵⁸	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	EI-MD3 has been added to the rule as operational considerations may be relevant.	Yes
195.32 ⁵⁵⁹	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

⁵⁵⁷ Support - Michael and Jean Schluter [FS 89] – Officer recommendation – accept

⁵⁵⁸ Support – Waka Kotahi NZ Transport Agency [FS 110], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁵⁹ 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

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><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>	
62.63 ⁵⁶⁰	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

⁵⁶⁰ 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?
						Transport chapter provisions, such as for vehicle crossings or vehicle accessways.	
325.31 ⁵⁶¹	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 public, 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
373.26 ⁵⁶²	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
62.64 ⁵⁶³	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

⁵⁶¹ Support – McAlpines Ltd [FS 102] – Officer recommendation – accept

⁵⁶² Support - Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁵⁶³ 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?
			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	<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
62.65 ⁵⁶⁴	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
62.66 ⁵⁶⁵	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

⁵⁶⁴ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁶⁵ 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-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	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	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	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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419.35 ⁵⁶⁶	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	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
62.67 ⁵⁶⁷	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
62.68 ⁵⁶⁸	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

⁵⁶⁶ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁶⁷ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁶⁸ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

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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	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
249.72 ⁵⁶⁹	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	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 ⁵⁷⁰ 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

⁵⁶⁹ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁵⁷⁰ Permitted activity 14 condition (3)

Table B 5: Recommended responses to submissions: EI General Rules							
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			- <u>EI-MD3 Operational considerations</u> - <u>EI-MD14 – Extent of effects</u> "				
414.73 ⁵⁷¹	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
62.69 ⁵⁷²	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
249.74 ⁵⁷³	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..."</p> <p>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	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

⁵⁷¹ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁵⁷² Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁷³ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

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			- <u>EI-MD2 Amenity values, location and design</u> - <u>EI-MD3 Operational Considerations</u> - <u>EI-MD14 Extent of effects"</u>				
295.77 ⁵⁷⁴ 575	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: ... <u>3. there are no increased compliance requirements with NZECP34:2001 for landowners."</u> 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
414.74 ⁵⁷⁶	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: " <u>This rule can only be used once per pole on any given transmission line. Further upgrades require consent.</u> "	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
62.70 ⁵⁷⁷	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

⁵⁷⁴ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁷⁵ Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁵⁷⁶ Oppose – MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁵⁷⁷ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

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			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
62.71 ⁵⁷⁸	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
249.75 ⁵⁷⁹	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	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

⁵⁷⁸ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁷⁹ 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: - EI-MD2 Amenity values, location and design - EI-MD3 Operational considerations - EI-MD14 – Extent of effects"			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
62.72 ⁵⁸⁰	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
249.76 ⁵⁸¹	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 and expansion 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	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

⁵⁸⁰ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁸¹ 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>	
295.78 ⁵⁸² 583	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
414.75 ⁵⁸⁴	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

⁵⁸² Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

⁵⁸³ Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁵⁸⁴ 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.	
62.73 ⁵⁸⁵	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
62.32 ⁵⁸⁶	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	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

⁵⁸⁵ Support - Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁵⁸⁶ 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): "1. New infrastructure cabinet, except where provided for under Rule EI-XX."	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: "... 1. New infrastructure building (except where covered by Rule EI-XX and Rule EI-R25) ..."	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
195.40 ⁵⁸⁷	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, or widening or extension of existing, vehicle access tracks ancillary to infrastructure that which are located in specified sensitive environments."	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

⁵⁸⁷ 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?
419.36 ⁵⁸⁸	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
414.76 ⁵⁸⁹	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

⁵⁸⁸ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁸⁹ 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><u>3. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity transmission and electricity distribution;</u></p> <p><u>4. the activity shall comply with the following when located in the road corridor:</u></p> <p><u>a. maximum floor area (excluding plinths or foundations): 10m²;</u></p> <p><u>b. maximum height in relation to infrastructure: 3m;</u></p> <p><u>5. the activity shall comply with the following when located outside the road corridor:</u></p> <p><u>a. maximum height in relation to infrastructure: 5.5m;</u></p> <p><u>b. maximum floor area (excluding plinths or foundations): 30m²;</u></p> <p><u>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</u></p> <p><u>..."</u></p>	8.20	Accept	<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
414.77 ⁵⁹⁰	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
419.37 ⁵⁹¹	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	<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

⁵⁹⁰ Oppose - MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁵⁹¹ 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
157.1 ⁵⁹²	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	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

⁵⁹² 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	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?
419.38 ⁵⁹³ 419.39 ⁵⁹⁴	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	<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
419.41 ⁵⁹⁵	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
62.74 ⁵⁹⁶	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

⁵⁹³ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁹⁴ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁹⁵ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁹⁶ 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?
249.88 ⁵⁹⁷	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
419.42 ⁵⁹⁸	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
62.75 ⁵⁹⁹	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

⁵⁹⁷ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁵⁹⁸ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁵⁹⁹ 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
419.47 ⁶⁰⁰	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	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

⁶⁰⁰ 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
419.43 ⁶⁰¹	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
419.44 ⁶⁰²	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
367.15 ⁶⁰³	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

⁶⁰¹ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁶⁰² Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁶⁰³ 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	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?
96.1 ⁶⁰⁴	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	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

⁶⁰⁴ 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; and...</u> "				
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
419.45 ⁶⁰⁵	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

⁶⁰⁵ Support – Forest and Bird [FS 78] – 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?
			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

Table B 11: Recommended responses to submissions: Irrigation / Stockwater Networks 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?
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?
195.43 ⁶⁰⁶	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

⁶⁰⁶ 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	<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	<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.	
414.80 ⁶⁰⁷	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	<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

⁶⁰⁷ 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>				
414.81 ⁶⁰⁸	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	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

⁶⁰⁸ 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	<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: <u>EI-MD12 – National Grid</u></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	<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
249.92 ⁶⁰⁹	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	The setbacks requested by Mainpower are more nuanced than the notified setbacks and better align with NZECP 34:2001. In relation	Yes

⁶⁰⁹ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – accept

Table B 13: Recommended responses to submissions: Managing Effects of Activities and Development on Major Electricity Distribution Lines							
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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> <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;</u> 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.	

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?
			<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>				
325.47 ⁶¹⁰	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
414.84 ⁶¹¹	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

⁶¹⁰ Oppose - MainPower NZ Ltd [FS 58] – Officer recommendation – reject

⁶¹¹ 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							
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62.35 ⁶¹²	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	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

⁶¹² 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							
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			... 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	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	<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

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?
			<p>support structure visible outer edge of a foundation of an associated pole or tower; or</p> <p>b. <u>complies with the requirements of NZECP34:2001.</u></p> <p>c. <u>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.</u></p> <p>...</p> <p>Advisory Notes</p> <p>66kV/33kV <u>major</u> electricity distribution lines are shown on the planning map</p> <p>..."</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> <u>1. The establishment of a new, or expansion of an existing structure:</u> <u>Where:</u> <u>2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>3. 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> <u>4. 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>Activity status when compliance not achieved: NC"</p>	8.39	Accept	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
419.46 ⁶¹³	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
195.46 ⁶¹⁴	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

⁶¹³ Support – Forest and Bird [FS 78] – Officer recommendation – accept

⁶¹⁴ 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?
249.97 ⁶¹⁵	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
62.36 ⁶¹⁶	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
249.98 ⁶¹⁷	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
195.48 ⁶¹⁸	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	Agree that the mater of discretion should be limited to 'existing' sensitivity activities. Other amendments are not supported.	Yes

⁶¹⁵ Support – Waka Kotahi NZ Transport Agency [FS 110], Federated Farmers [FS 83] – Officer recommendation – accept

⁶¹⁶ Support – KiwiRail Holdings Ltd [FS 99], Transpower NZ Ltd [FS 92] – Officer recommendation – accept

⁶¹⁷ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁶¹⁸ Support – 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?
			"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
249.99 ⁶¹⁹	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	Whenever EI-MD5 applies so does EI-MD1, as such, there is no need to replicate in within EI-M5.	Yes
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
295.82 620 621	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

⁶¹⁹ Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁶²⁰ Oppose - MainPower NZ Ltd [FS 58], Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁶²¹ Support - Federated Farmers [FS 83] – 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?
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
414.86 ⁶²²	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

⁶²² 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
195.50 ⁶²³	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	The requested amendments are accepted. The suggested amendments improve accuracy of cross references, and to take into account the benefits of infrastructure	Yes

⁶²³ 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
195.51 ⁶²⁴	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
414.88 ⁶²⁵	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

⁶²⁴ Support – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – accept

⁶²⁵ 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	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
414.89 ⁶²⁶	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

⁶²⁶ 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.				
195.53 ⁶²⁷	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
249.104 ⁶²⁸	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
295.83 629 630	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
414.90 ⁶³¹	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

⁶²⁷ Support – Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd [FS 95] – Officer recommendation – accept

⁶²⁸ Oppose – Waka Kotahi NZ Transport Agency [FS 110] – Officer recommendation – reject

⁶²⁹ Oppose – Transpower NZ Ltd [FS 92] – Officer recommendation – reject

⁶³⁰ Support - Federated Farmers [FS 83] – Officer recommendation – accept

⁶³¹ 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
408.8 ⁶³²	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

⁶³² Support – MainPower NZ Ltd [FS 58] – Officer recommendation – accept

Appendix C. Section 32AA Evaluation

C1. Overview and purpose

This evaluation is undertaken in accordance with section 32AA of the RMA. It examines the appropriateness of the recommended amendments, following the consideration of submissions received on the Proposed Plan.

This further evaluation should be read in conjunction with the Section 32 Reports prepared for the development of the Proposed Plan.

C2. Recommended amendments

A range of amendments are recommended to EI related definitions; to the EI chapter introduction, objectives, policies, rules, and matters of discretion; and to EI related planning map matters.

I have recommended amendments to the Proposed Plan provisions to address matters raised in submissions. The recommended changes are shown in Appendix A.

The evaluation in Appendix B should be read in conjunction with Appendix A.

C3. Statutory Tests

The District Council must ensure that prior to adopting an objective, policy, rule or other method in a district plan, that the proposed provisions meet the requirements of the RMA through an evaluation of matters outlined in Section 32.

In achieving the purpose of the RMA, the District Council must carry out a further evaluation under section 32AA if changes are made to a proposal as a result of the submissions and hearings process. This evaluation must cover all the matters in sections 32(1)-(4).

This evaluation has been undertaken in a **consolidated** manner.

Objectives

The objectives are to be examined in relation to the extent to which they are the most appropriate way to achieve the purpose of the RMA. For the purposes of evaluation under section 32AA the following criteria form the basis for assessing the appropriateness of the proposed objectives:

- Relevance;
- Usefulness;
- Reasonableness; and
- Achievability.

Provisions

The other provisions are to be examined as to whether they are the most appropriate methods for achieving the objectives. For a proposed plan, the provisions are defined as the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan.

The examination must include assessing the efficiency and effectiveness (including costs and benefits of the environmental, economic, social, and cultural effects, quantified if practicable, and the risk of acting or not acting) and a summary of the reasons for deciding the provisions.

C4. Evaluation of Recommended Amendments to Objectives

The EI objectives are recommended to be amended as set out in Appendix A, for the reasons set out in Table B 3 in Appendix B. Table C 1 below provides an evaluation of the recommended amendments to the objectives.

Table C 1: Recommended Amendments to Objectives

Relevance	<p>Addresses a relevant resource management issue</p> <p>The recommended amendments will better provide for EI and its benefits to people and communities, particularly critical infrastructure, strategic infrastructure and regionally significant infrastructure. The recommended amendments will better manage the effects of EI, and the effects of other activities on EI.</p>
	<p>Assists the District Council to undertake its functions under s31</p> <p>The recommended amendments will better assist the District Council in undertaking its functions. The recommended amendments will better achieve a balance between providing for EI and its benefits to people and communities, managing the effects of EI, and managing the effects of other activities on EI.</p>
	<p>Gives effect to higher level documents</p> <p>The recommended amendments will be more consistent with and give better effect to higher order documents including the NPSET and the RPS.</p>
Usefulness	<p>Guides decision-making</p> <p>The recommended amendments will better guide District Council decision making. The District Council both delivers infrastructure as well as makes decisions on resource consents under the district plan and NESETA for EI and makes recommendations on designation requirements and outline plans for EI.</p>
	<p>Meets best practice for objectives</p> <p>The recommended amendments will provide greater scope and clarity as to the outcomes intended, and therefore will be easier to interpret and implement and will be more effective than the notified provisions.</p>
Reasonableness	<p>Will not impose unjustifiably high costs on the community / parts of the community</p> <p>No additional costs on the community or parts of the community will be generated by the recommended amendments.</p>
	<p>Acceptable level of uncertainty and risk</p> <p>There is no additional uncertainty or risk associated with the recommended amendments.</p>
Achievability	<p>Consistent with identified mana whenua and community outcomes</p> <p>The recommended amendments do not affect the consistency of the objective with identified mana whenua and community outcomes.</p>
	<p>Realistically able to be achieved within the District Council's powers, skills and resources</p> <p>The District Council both delivers infrastructure as well as makes decisions on resource consents under the district plan and NESETA for EI and makes recommendations on designation requirements and outline plans for EI. The recommended amendments are therefore realistically able to be achieved.</p>

Conclusion	The recommended amendments are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management.
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Overall, the recommended amendments proposed to the objectives provide greater clarity on the outcomes intended to be achieved. For the purposes of sections 32 and 32AA, I consider that the revised objectives are the most appropriate way of achieving the purpose of the RMA.

C5. Evaluation of Policies, Rules and other methods

I have assessed how the recommended amendments to the EI related definitions; EI chapter introduction, policies, rules, and matters of discretion; and EI related planning map matters, are the most appropriate to implement the objectives. In undertaking this assessment, I have evaluated the recommended amendments against the provisions as notified.

Efficiency and Effectiveness of the Provisions

Table C 2 below contains an assessment of the efficiency and effectiveness of the recommended amended provisions in achieving the objectives, including identification and assessment of the costs and benefits anticipated from the implementation of the provisions.

Table C 2: Assessment of efficiency and effectiveness

Recommended Amendments to Provisions:	
Appendix A of this report contains a marked-up version of proposed Plan provisions relating to EI with recommended amendments in response to submissions.	
Specific recommendations on each submission / submission point, and reasons, are contained in Tables B 1 to B 15 in Appendix B.	
The evaluation in Appendix B should be read in conjunction with Appendix A.	
Costs	Benefits
<ul style="list-style-type: none"> There are no identified costs. 	<ul style="list-style-type: none"> A new suite of EI provisions will provide a significantly updated and significantly more comprehensive framework for providing for EI while managing effects, compared to the operative District Plan. The recommended amendments will provide greater scope and clarity as to the outcomes intended, how EI is provided for, and how effects are managed. The amended provisions will be easier to interpret and implement and therefore will be more effective. The amended provisions will therefore have plan interpretation and implementation benefits. The relationship between the EI provisions, other District-wide provisions, and the zones, has been clarified, which will have plan

	<p>interpretation and implementation benefits.</p> <ul style="list-style-type: none"> • The amended provisions will be more consistent with and better give effect to higher order documents, including the NPSET and the RPS. • The amended provisions will be more consistent with NZECP 34:2001. • The amended provisions will better provide for critical infrastructure, regionally significant infrastructure and strategic infrastructure.
Efficiency	<p>The recommended amendments will have significant social, environmental, and economic benefits including providing greater scope and clarity to the intended outcomes, how EI is provided for, and how effects are managed. The recommended amendments will have benefits particularly through better giving effect to higher order documents. The benefits will far outweigh any costs. Therefore, the recommended amendments will be more efficient than the notified provisions.</p>
Effectiveness	<p>The recommended amendments will have benefits particularly through better giving effect to higher order documents. The recommended amendments will provide greater scope and clarity as to the outcomes intended, how EI is provided for, and how effects are managed. The amended provisions will be easier to interpret and implement and therefore will be more effective than the notified provisions.</p>
Summary	
<p>The recommended amendments are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management.</p>	

Overall, taking into account the assessment above, I consider the recommended amendments to the provisions to be more efficient and effective in achieving the objectives than the notified provisions.

Adequacy of Information and Risk of Acting or Not Acting

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Submissions have raised a number of matters that need to be addressed to provide improved clarity and scope to proposed Plan provisions related to EI. If no action is taken and the Proposed Plan is retained as notified, it could cause confusion and may result in a lack of consistent interpretation and application of the Proposed Plan and increased costs in terms of time and money required by District Council staff to process resource consents.

Submissions also seek to amend the Proposed Plan so it better achieves the purpose of higher order documents, including the RMA, National Policy Statements, National Environmental Standards, and the RPS. The recommended amendments to address this matter assist in making the provisions more efficient and effective in achieving the objectives. The risk in not acting is that the provisions do not effectively or efficiently achieve the objectives.

After reviewing the provisions of the Proposed Plan relating to EI and considering the submissions on these provisions, I consider there is sufficient information on which to base the recommended revised EI related definitions; EI chapter introduction, objectives, policies, rules, and matters of discretion; and EI related planning map matters.

C6. Conclusion

I have evaluated the recommended amendments to objectives to determine the extent to which they are the most appropriate way of achieving the purpose of the RMA, and otherwise to give effect to higher order planning documents. I have also evaluated the recommended amendments to the proposed provisions, including their efficiency and effectiveness of the provisions in achieving the proposed objectives. I consider the proposed objectives as recommended to be amended are an appropriate way of achieving the purpose of the RMA and the recommended changes to provisions are the most appropriate means of achieving the objectives.

Appendix D. Report Author's Qualifications and Experience

My full name is Andrew Cameron MacLennan.

I am an Associate at the firm Incite. I hold a Bachelor of Science in Land Planning and Development from Otago University and a Masters of Resource Management from Massey University. I am an Associate Member of the New Zealand Planning Institute and a member of the Resource Management Law Association.

I have 10 years' planning experience working in both local government and the private sector. During this time, I have worked policy planning roles, consent processing roles, and consent applicant roles.

My policy planning experience includes working for a range of Councils drafting provisions for regional policy statements, regional plans, coastal plans, and district plans. I have also assisted with the drafting of associated section 32 evaluation reports, section 42A reports and reporting officer roles. I have experience participating in Environment Court processes such as expert conferencing, mediation, and hearings on plans and plan changes.

My relevant work experience includes:

- S42a reporting officer for the Otago Regional Policy Statement
- S42a reporting officer for the Marlborough Environment Plan
- S42a reporting officer for the Hurunui District Plan
- Preparing regeneration plans for the Waimakariri Residential Red Zone

Conflict of interest statement

Incite Auckland on behalf of Chorus New Zealand, Spark New Zealand Trading Limited, Vodafone New Zealand Limited has submitted on a range of provisions in the Energy and Infrastructure chapter.

Incite is a group of three separate limited liability companies with joint branding, a joint website and a cooperative relationship. However, we remain as separate companies with no financial linkages. Incite Christchurch has had no discussions with the submitters or the Incite Auckland office in the preparation of their submission. Incite Christchurch does not undertake any work for Chorus New Zealand, Spark New Zealand Trading Limited or Vodafone New Zealand Limited.

Chorus New Zealand, Spark New Zealand Trading Limited, Vodafone New Zealand Limited have confirmed that they do not consider my involvement in these topics to be a conflict of interest.

To mitigate any potential conflict of interest, Incite Christchurch and Incite Auckland have not communicated about the preparation of the s42A report or evidence.