

Te Tai o Poutini Plan  
Section 42A Officer's Report  
Part 2 –District-Wide Matters- Te  
Wāhanga 2 - Ngā Kaupapa ā-Rohe  
Whānui

Energy, Infrastructure and Transport  
Te Pūngao, Te Tūāhanga and me Te  
Tūnuku



**Te Tai o Poutini**  
PLAN

*A combined district plan for the West Coast*

## List of Abbreviations

Abbreviation	Meaning
NESCS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESETA	National Environmental Standards for Electricity Transmission Activities 2009
NESSHDW	National Environment Standards for Sources of Human Drinking Water 2007
NESTF	National Environmental Standards for Telecommunications Facilities 2016
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
NPSHPL	National Policy Statement for Highly Productive Land 2022
NPSIB	National Policy Statement for Indigenous Biodiversity 2023
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NPSUD	National Policy Statement on Urban Development 2020
NZECP34:2001	New Zealand Electrical Code of Practice for Electrical Safe Distances 2001
NZCPS	New Zealand Coastal Policy Statement 2010
pTTPP	Proposed Te Tai o Poutini Plan
RLTP	Regional Land Transport Plan 2021 – 2031
RMA	Resource Management Act 1991
RPS	West Coast Regional Policy Statement 2020
RTC	West Coast Regional Transport Committee
WCRC	West Coast Regional Council

## List of Submitters and Further Submitters

### Energy

Submitter ID	Submitter Name	Abbreviation
S552, FS224	Buller Conservation Group	
S538, FS149	Buller District Council	BDC
S451	Buller Electricity Limited	
S566	Chris J Coll Surveying Limited	
S558	Chris & Jan Coll	
S581	David Ellerm	
S602, FS122	Department of Conservation	DoC
S524	Federated Farmers of New Zealand	
S478	Frank and Jo Dooley	
FS223	Frida Inta	
FS1	Grey District Council	GDC
S140	Heritage New Zealand Pouhere Taonga	HNZPT
S486	Horticulture New Zealand	
S540	Inchbonnie Hydro Limited	
S462	Inger Perkins	
FS106	Isaac Construction Ltd	
S527	John Walsh	
FS58	Kāinga Ora – Homes and Communities	Kāinga Ora
FS236	KiwiRail Holdings Limited	KiwiRail
S574	Laura Coll McLaughlin	

S481	Lynley Hargreaves	
S438	Manawa Energy Limited	Manawa Energy
S545	Martin & Lisa Kennedy	
S463, FS127	New Zealand Energy Limited	
S546	Nick Pupich Sandy Jefferies	
S408	Paul Finlay	
FS141	Radio New Zealand Limited	RNZ
S560, FS34	Royal Forest and Bird Protection Society of New Zealand Inc	Forest & Bird
S443	Suzanne Hills	
S190	Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora	
S620, FS41	Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	
S621	The Proprietors of Mawhera Tiamana Mawhera Incorporation	
S299, FS110	Transpower New Zealand Limited	Transpower
S181	Westland District Council	WDC
S63	Westland Milk Products	
S547, FS222	Westpower Limited	
S567	William McLaughlin	

## Infrastructure

Submitter ID	Submitter Name	Abbreviation
S109	Branch 49 (Westland) of the New Zealand	

	Association of Radio Transmitters (Inc.)	
S552, FS224	Buller Conservation Group	
S538, FS149	Buller District Council	BDC
FS142	Cashmere Bay Dairy Ltd	
S663	Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd	
S566	Chris J Coll Surveying Limited	
S558	Chris & Jan Coll	
S581	David Ellerm	
FS154	Davis Ogilive & Partners Ltd	
S602	Department of Conservation	DoC
S573	Fire and Emergency New Zealand	Fire and Emergency
S553, FS223	Frida Inta	
S608, FS1	Grey District Council	GDC
S140	Heritage New Zealand Pouhere Taonga	HNZPT
FS98	International Panel and Lumber (West Coast) Ltd	
S594	Janie Cook	
FS58	Kāinga Ora – Homes and Communities	Kāinga Ora
S442	KiwiRail Holdings Limited	KiwiRail
S574	Laura Coll McLaughlin	
S446	Margaret Montgomery	
S519, FS31	New Zealand Defence Force	NZDF

S408	Paul Finlay	
S476, FS141	Radio New Zealand	
S560, FS34	Royal Forest and Bird Protection Society of New Zealand Inc (Forest & Bird)	Forest & Bird
S190	Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora	
S620, FS41	Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	
S612	Toka Tū Ake EQC	
S299, FS110	Transpower New Zealand Limited	Transpower
S450, FS62	Waka Kotahi NZ Transport Agency	Waka Kotahi
S488	West Coast Regional Council	WCRC
S181	Westland District Council	WDC
S567	William McLaughlin	

## Transport

Submitter ID	Submitter Name	Abbreviation
FS147	Annie Inwood	
S491	Bathurst Resources Limited and BT Mining Limited	
S601	Birchfield Coal Mines Ltd	
FS64	BP Oil NZ Ltd, Mobil Oil NZ Ltd, Z Energy Ltd	
S552, FS224	Buller Conservation Group	
S538, FS149	Buller District Council	BDC
S564	Catherine Smart-Simpson	

S566	Chris J Coll Surveying Limited	
S558	Chris & Jan Coll	
S581	David Ellerm	
S65	David Moore	
S356	Dean Mason	
S602	Department of Conservation	DoC
S464, FS107	Foodstuffs (South Island) Properties Limited and Foodstuffs South Island Limited	Foodstuffs
S573	Fire and Emergency New Zealand	Fire and Emergency
S613	Fuel Companies	
S553, FS223	Frida Inta	
S563	Geoff Volckman	
S608	Grey District Council	GDC
S274	Herenga ā Nuku Aotearoa Outdoor Access Commission	
S140	Heritage New Zealand Pouhere Taonga	HNZPT
S129	Jan Fraser	
S262	Jane Neale	
S360	John Brazil	
FS58	Kāinga Ora – Homes and Communities	Kāinga Ora
S614	Karamea Lime Company	
S439	Karen Lippiatt	
S101, FS68	Katherine Crick	

S442, FS236	KiwiRail Holdings Limited	KiwiRail
S577	Koiterangi Lime Co LTD	
S574	Laura Coll McLaughlin	
S355	Lindy Mason	
FS77	Marie Elder	
FS140	Martin & Co Westport Ltd and Lumberland Building Market Westport	
FS134	MBD Contracting Limited	
FS144	Melissa McLuskie	
FS218	Mike Spruce	
S456	Ministry of Education Te Tāhuhu o Te Mātauranga	Ministry of Education
S500	Papahaua Resources Limited	
S615	Peter Langford	
FS141	Radio New Zealand Limited	RNZ
S474	Rocky Mining Limited	
S560, FS34	Royal Forest and Bird Protection Society of New Zealand Inc (Forest & Bird)	Forest & Bird
S82	Sophia Allan	
S536	Straterra	
S443, FS72	Suzanne Hill	
S190	Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora	
FS41	Te Rūnanga o Ngāti Waewae, Te Rūnanga o	



	Makaawhio and Te Rūnanga o Ngāi Tahu	
S493, FS104	TiGa Minerals and Metals Limited	
S612	Toka Tū Ake EQC	
FS110	Transpower New Zealand Limited	Transpower
S377	Trevor Hayes	
S450, FS62	Waka Kotahi NZ Transport Agency	Waka Kotahi
S567	William McLaughlin	
S599	WMS Group (HQ) Limited and WMS Land Co. Limited	

## Executive Summary

The Proposed Te Tai o Poutini Plan (“**pTTPP**”) was publicly notified on 14 July 2022. The pTTPP is the combined District Plan for the Buller, Grey and Westland District Councils. It will replace the current individual district plans. pTTPP sets out the objectives, policies, rules and methods to manage land use activities and subdivision across the districts.

The **Energy, Infrastructure and Transport** section is one of seven sections located in the **Part 2 – District-Wide Matters**. It is read in conjunction with Appendix One: Transport Performance Standards.

In line with the National Planning Standards the pTTPP has introduced the Energy, Infrastructure and Transport section. Key components of the Energy, Infrastructure and Transport chapters are objectives, policies and rules that reflect Part 2, particularly sections 6 and 7, under the Resource Management Act 1991 (RMA).

Submissions were received from a range of submitters including organisations, network utility operators, councils, private individuals and landowners, on the Energy, Infrastructure and Transport chapters, Appendix One: Transport Performance Standards and relevant definitions. Submissions have been grouped by provision.

This report has been prepared in accordance with section 42A of the Resource Management Act 1991 (“the RMA”) and outlines recommendations in response to the issues that have emerged from submissions. The report is intended to assist the Hearings Panel to make decisions on the submissions and further submissions on the pTTPP, and to provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations made, prior to the hearing.

The key changes to the pTTPP recommended in this report relate to improving clarity, efficiency and effectiveness of provisions.

## 1.0 Introduction

1. This report has been prepared in accordance with section 42A (“**s42A**”) of the Resource Management Act 1991 (“**the RMA**”) and forms the Hearing Report for the West Coast Proposed Te Tai o Poutini Plan (“**pTTPP**”), specifically for the ‘**Energy, Infrastructure and Transport**’ chapters. This report provides consideration of the proposed provisions, recommendations in relation to submissions and, where appropriate, the report cross-references the section 32 Evaluation (“**s32**”) and analysis of any background material and legislative discussions.
2. The recommendations are informed by the evaluation we have undertaken as the planning authors. In preparing this report we have had regard to the s42A Introduction and General Provisions report that addresses the higher order statutory planning and legal context.
3. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

### 1.1 Author qualifications and experience

#### 1.1.1 Grace Lily Forno

1. My full name is Grace Lily Forno and I am an Intermediate Planner for Barker & Associates (B&A), an independent planning consultancy engaged by the WCRC to support the development of the pTTPP.
2. I hold a Bachelor of Environmental Planning from the University of Waikato, Hamilton, which I obtained in 2020. I am an Intermediate Member of the New Zealand Planning Institute.
3. I have four years’ experience in planning and resource management including two years at AECOM. The remaining time I have worked as a planning consultant primarily providing policy advice to local government and preparing resource consent applications.
4. My experience involves preparation of resource consent applications, including land use, subdivision and discharge consents with both District and Regional Councils; and supporting territorial authorities in the implementation of national policy, including the Waipā Spatial Plan, South Waikato Growth Strategy and Hamilton City Council’s implementation of the National Policy Statement on Urban Development.

#### 1.1.2 Melissa Ivy McGrath

5. My full name is Melissa Ivy McGrath and I am a Senior Associate Planner for Barker & Associates (B&A), an independent planning consultancy engaged by the WCRC to

support the development of the pTTPP.

6. I hold a Master of Resource Management from Massey University and I am a Full Member of the New Zealand Planning Institute.
7. I have 19 years' experience as a Planner. During this time, I have been employed in various resource management positions in local government and private companies. I have a vast range of experience including land use, subdivision and discharge consents with both District and Regional Councils. I have prepared and reported on private plan change applications and district plan changes including Environment Court mediation and hearing evidence. During my time at Whangārei District Council as District Plan Manager, I led the rolling review of the District Plan.

## 1.2 Code of Conduct

8. We confirm that we have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that we have complied with it when preparing this report. Other than when we state that we are relying on the advice of another person, this evidence is within our area of expertise. We have not omitted to consider material facts known to me that might alter or detract from the opinions that we express.
9. We are authorized to give this evidence on behalf of the Te Tai o Poutini Plan Committee to the pTTPP hearings commissioners (Hearings Panel).

## 1.3 Conflict of Interest

10. To the best of our knowledge, we have no real or perceived conflict of interest.

## 2.0 Scope and Purpose of Report

11. This report has been prepared in accordance with section 42A of the RMA to:
  - assist the Hearings Panel in making their decisions on the submissions and further submissions on the pTTPP; and
  - provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.
12. This report responds to submissions and further submissions that were received on the **Energy, Infrastructure and Transport** chapter of the pTTPP.
13. Recommendations are made to either retain provisions without amendment, delete, add to or amend the provisions. All recommended amendments are shown by way of ~~strikeout~~ and underlying.
14. Footnoted references to a submitter number, submission point and the abbreviation

for their title provide the scope for each recommended change. Where it is considered that an amendment may be appropriate, but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not footnoted.

15. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the pTTPP using Clause 16(2) and these are documented on the pTTPP website. Where a submitter has requested the same or similar changes to the pTTPP that fall within the ambit of Clause 16(2), then such amendments will continue to be made and documented as Clause 16(2) amendments in this section 42A report.
16. The assessment of submissions generally follows the following format:
  - Submission information;
  - Analysis; and
  - Recommendation and amendments.
17. Where appropriate definitions unique to **Energy, Infrastructure** and **Transport** chapters have been considered in this section 42A report.

## 2.1 Topic Overview

### Energy

18. Energy activities, including renewable electricity generation, transmission, distribution and operation, are recognised as regionally significant infrastructure that are required to provide for the social, cultural and economic wellbeing of people and communities.
19. The Energy provisions of the pTTPP seek to manage the potential effect of energy activities on the environment and communities, and also the potential effect of other activities on energy activities. The proposed Energy chapter includes:
  - An overview of higher order policy that the Energy chapter gives effect to:
    - West Coast Regional Policy Statement ("**RPS**");
    - National Policy Statement for Electricity Transmission Activities ("**NPSET**");
    - New Zealand Electrical Code of Practice for Electrical Safe Distances ("**NZCEP 34:2001**");
    - Electricity (Hazards from Trees) Regulations 2003; and
    - Resource Management Regulations 2009 (National Environmental Standards for Electricity Transmission Activities) ("**NESETA**")
  - Objectives which recognise the local and regional significance of energy activities, and seek that these activities are located, designed and operated to

minimise adverse effects on communities and the environment.

- Policies which provide for the development, operation, maintenance and upgrading of energy activities, and seek to minimise reverse sensitivity effects from subdivision, use and development on energy activities, and manage the National Grid.
- Rules that set performance standards for energy activities.

### **Infrastructure**

20. Infrastructure makes an essential contribution to the social and economic well-being of the West Coast, and therefore must be sustainably managed. If inappropriately managed such uses can result in adverse effects on the environment being experienced, particularly on natural and cultural resources and amenity values.
21. The Infrastructure provisions of the pTTPP seek to enable the safe, efficient and sustainable development, maintenance and upgrading of utilities and infrastructure, protect utilities and infrastructure from adverse effects and minimize adverse effects of infrastructure on the environment. The proposed Infrastructure chapter includes:
  - An overview of higher order policy that the Infrastructure chapter gives effect to, being the RPS;
  - Objectives which recognise the need for network utility and infrastructure activities, and seek that these activities are located, designed and operated to minimise adverse effects on the environment.
  - Policies which provide for the development, operation, maintenance and upgrading of energy activities, and seek to minimise reverse sensitivity effects from subdivision, use and development on network utilities and infrastructure.
  - Rules that set performance standards for network utilities and infrastructure activities.

### **Transport**

22. Encouraging a safe and convenient transport network through district plan provisions is fundamental to enabling people to provide for their social, economic, and cultural wellbeing and for their health and safety in a sustainable way. This includes a planning framework that enables multiple modes of travel, access to public transport and supports the safe and efficient movement of people, goods, and services.
23. The Transport provisions of the pTTPP seek to manage the land transport corridors and the works and activities that occur within them, encouraging safe, efficient and cost-effective transport corridors to support the efficient movement of people, goods and services through integrated, accessible, and well-connected transport corridors. Land use and subdivision are managed to protect the land transport corridors from incompatible activities that could undermine the provision of an integrated, safe,

responsive, and sustainable transport system.

24. The Transport Chapter is linked to the Part 2 - District Wide Matters to ensure transport corridor works maintain the anticipated amenity, heritage, environmental, and cultural values and consider hazard overlays. The Transport provisions apply to each zone identified in the Planning Maps and Part 3 - Area Specific Matters section of the Plan. The land use zoning is to be extended to the centreline of land transport corridors.
25. Provisions for Ports and public Airports/Heliports are included within the Port Zone and Airport Zone respectively and they are discussed in the Special Purpose Zone s32 report.
26. The proposed Transport chapter includes:
  - An overview of the One Network Rooding Classification System;
  - Objectives which recognise and provide for transport infrastructure, enable accessibility, safety and connectivity, encourage resilience, and safe and efficient provision of parking.
  - Policies which provide for road and rail networks to be maintained or enhanced, manage effect of vehicle crossings and associated access, maximise user safety, enable provision of electric vehicle and bicycle charging stations, support increased walking and cycling, manage parking and loading spaces.
  - Rules set performance standards for transport activities, using the One Network Rooding Classification System ("**ONRCS**"). This national system, administered by Waka Kotahi divides roads into categories based on how busy they are, whether they connect to important destinations, or if they are the only route available.
  - Appendix One includes Transport Performance Standards. The ONRCS is used to specify the key standards for the design and construction of infrastructure.
27. The rail and state highway networks are designated. While they are linked to the implementation of the transport provisions, designations and any relevant submissions will be assessed as part of the designation hearing.

## 2.2 Strategic Direction

28. The strategic importance of energy, infrastructure and transport resources to the West Coast are recognised in the pTTPP Strategic Direction chapter objectives for Connections and Resilience.
29. The purpose of Strategic Direction in Part 2, in combination with objectives within the relevant topic chapters, is to ensure that they provide a coherent overarching strategic direction and state the outcomes intended for the West Coast districts. With these strategic directions and objectives in place, the articulation of location-specific and activity-specific objectives and policies are enabled in other chapters of the pTTPP, which are consistent with the strategic objectives.

30. Under the Connections and Resilience section of the pTTPP Strategic Direction chapter are four objectives, three of which reference critical infrastructure. "Critical infrastructure", which is proposed to be defined as: "means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants and electricity transmission and distribution asset". The Strategic Direction s42A Report has addressed these objectives and any relevant submissions. Submissions were received in relation to the appropriateness of the term "critical infrastructure" under the Strategic Direction chapter, which have been addressed in this s42A Report.
31. The Strategic Direction s42A has recommended to include "critical infrastructure" in all objectives in the Connections and Resilience section, however, it has noted that "I am aware however that there are a range of submissions on the definition of Infrastructure and Energy Activities to be dealt with in the Energy Infrastructure and Transport Chapter. If this results in Energy Activities being excluded from the definition of Infrastructure, then I would support this addition as a consequential amendment."
32. We will consider the recommendations of the Strategic Direction s42A Report and the submissions received for the Energy, Infrastructure and Transport chapters. Based on this, we will make a recommendation in relation to critical infrastructure.



## Part One: Overview of Energy, Infrastructure & Transport

### 3.0 Statutory Requirements

33. Sections 1, 6 and 13 of the Energy, Infrastructure and Transport s32 report provides a detailed record of the relevant statutory considerations applicable to Energy, Infrastructure and Transport chapters respectively. It also sets out the relationship between sections of the RMA and higher order documents, i.e., relevant iwi management plans, other relevant plans, and strategies.
34. We do not consider it necessary to repeat the detail of the full suite of higher order documents here. However, we do consider it necessary to repeat information about the RMA, Resource Management Reform, National Planning Documents, Iwi Management Plans and the RPS because these pieces of legislation/regulations inform the content of some of the submissions received and our analysis on these submissions. Also, many further submitters who were not initial submitters may not be aware of the s32 report and the statutory context.

### 3.1 Statutory Documents

#### 3.1.1 Resource Management Act 1991

35. The RMA evaluation provided in Section 1.2.1 of the Energy, Infrastructure and Transport s32 report has been adopted as follows.
36. Part 2 of the RMA contains the purpose and principles of the legislation. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.
37. In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in Section 6, have particular regard to other matters referred to in Section 7 and take into account the principles of the Treaty of Waitangi referred to in Section 8.
38. Section 6 matters of national importance are relevant (respectively) to the proposed energy, infrastructure and transport provisions are:
  - (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development*
  - (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development*
  - (c) *the protection of areas of significant indigenous vegetation and significant*

*habitats of indigenous fauna:*

*(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*

*(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*

*(f) the protection of historic heritage from inappropriate subdivision, use, and development*

*(g) the protection of protected customary rights.*

39. Section 7 of the RMA requires particular regard to be taken into relation to the following matters are relevant (respectively) to the proposed energy, infrastructure and transport provisions:

*(b) the efficient use and development of natural and physical resources:*

*(ba) the efficiency of the end use of energy*

*(c) the maintenance and enhancement of amenity values*

*(f) maintenance and enhancement of the quality of the environment*

*(i) the effects of climate change*

*(j) the benefits to be derived from the use and development of renewable energy.*

40. All of the above matters are relevant when considering:

- a. Energy issues and ensuring that provision is made for renewable electricity generation activities, and electricity transmission and distribution while also managing their adverse effects.
- b. The need to ensure efficient provision of network utilities and infrastructure whilst managing their adverse effects.
- c. The need to recognise and provide for the critical role land transport infrastructure whilst managing their adverse effects.

41. Section 8 requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Consistent with the practice followed in the development of the pTTPP, the Section 8 principles of most relevance to this topic are the duty to make informed decisions through consultation. Poutini Ngāi Tahu though the Rūnanga kaiwhakahaere have been involved in the governance and development of pTTPP and their planners have collaborated in the development of the pTTPP provisions. Alongside this Poutini Ngāi Tahu been consulted a part of the review process and the obligation to make informed decisions based on that consultation is noted. We note that the entire TTPP must give effect to section 8, with the Tangata Whenua, Strategic Direction and Sites and Areas of Significance to Māori Chapters primarily providing for cultural values, and the energy, infrastructure and transport provisions are consistent with those district wide chapters.

### 3.1.3 Any Other Relevant National Direction

42. When considering energy matters, the following National Policy Statements and National Environmental Standards are considered to be relevant.

#### **National Policy Statement for Renewable Energy Generation 2011 (“NPSREG”)**

43. The NPSREG identifies renewable electricity generation activities as a matter of national importance and sets out one Objective and 14 Policies. The policy direction is to be given effect to in regional and district plans. In summary, the direction for the Energy provisions is:

- Policies A & B: To ensure the national, regional and local benefits of renewable electricity generation are recognised and provided for, and acknowledging New Zealand’s target for generation from renewable sources and the requirement of the significant developments to meet this target.
- Policy C1: To acknowledge the range of constraints to renewable electricity development projects and that these are factored into decision making.
- Policy C2: To have regard to offsetting measures or environmental compensation.
- Policy D: To manage reverse sensitivity effects on existing renewable electricity generation activities.
- Policies E1 – E4: To provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation activities, where applicable to energy resources in the district.
- Policy F: To provide for small-scale renewable electricity generation activities.
- Policy G: To provide for the identification and assessment of potential sites and energy sources.

#### **National Policy Statement for Electricity Transmission 2008 (“NPSET”)**

44. The Objective of the NPSET is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network, and new network needs. There is also direction to manage the adverse effects on the network, and to manage the adverse effects of other activities on the electricity transmission network. The policy framework gives the following direction:

- Policy 1 – Recognition of the national benefits of transmission
- Policy 2 – 9 Detail how to manage the environmental effects of transmission
- Policy 10 – 11 Detail how to manage the adverse effects of third parties on the transmission network
- Policy 12 – Sets out mapping requirements
- Policy 13 – 14 Highlights the Designation process, and Regional Council

requirements.

45. The proposed plan provisions give effect to Policies 1 – 11. Mapping has been undertaken in collaboration with Transpower to identify assets, subdivision corridor, and national grid yard giving effect to Policy 12. NPSET, Policy 11 requires that local authorities consult with the national grid operator to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (to facilitate the long-term strategic planning of the grid).
46. NPSET Policy 12 and 13 relate to designations, and Policy 14 to Regional Council.

### **New Zealand Coastal Policy Statement 2010 (“NZCPS”)**

47. The NZCPS outlines the policies for achieving the purpose of the RMA in relation to the coastal environment. pTTPP must give effect to (i.e., implement) the NZCPS, with the policies most relevant to the Energy, Infrastructure and Transport chapters being:
- Policy 1 Extent and characteristics of the coastal environment.
  - Policy 2 The Treaty of Waitangi, tangata whenua and Māori
  - Policy 3 Precautionary approach.
  - Policy 4 Integration.
  - Policy 6 Activities in the coastal environment.
  - Policy 13 Preservation of natural character.
  - Policy 14 Restoration of natural character.
  - Policy 15 Natural features and natural landscapes.
  - Policy 18 Public open space.
  - Policy 25 Subdivision, use and development in areas of coastal hazard risk.
48. The Energy, Infrastructure and Transport Chapters cross reference the Natural Environmental Values chapters and the Coastal Environment Chapter to ensure consistency.

### **National Policy Statement for Freshwater Management 2020 (“NPSFM”)**

49. The NPSFM outlines the policies for achieving the purpose of the RMA in relation to Freshwater. pTTPP must give effect to (i.e., implement) the NPS-FM, the NPS-FM seeks to prioritise first, the health and well-being of water-bodies and freshwater ecosystems, second, health needs of people and third the ability of people and communities to provide for their social, economic and cultural wellbeing when managing natural and physical resources. Policy 3.5 requires the adoption of an integrated management approach to the management of land use effects and development on freshwater.

50. The proposed plan provisions, particularly Infrastructure provisions, seek to manage adverse effects on freshwater. Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.

#### **National Policy Statement for Highly Productive Land 2022 (“NPSHPL”)**

51. The NPSHPL seeks to protect highly productive land for use in land-based primary production, both for now and for future generations. Policy 8 requires the pTTPP to protect highly productive land from inappropriate use or development. This policy direction must be given effect to in the Energy, Infrastructure and Transport provisions of the pTTPP. This has been captured by a Highly Productive Land Overlay.

#### **National Policy Statement for Indigenous Biodiversity 2023 (“NPSIB”)**

52. The NPSIB provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally.
53. Policy 3 requires a precautionary approach to be adopted when considering adverse effects on indigenous biodiversity. Policy 7 requires Significant Natural Areas to be protected by avoiding or managing adverse effects from new subdivision, use and development. This policy direction must be given effect to in the Energy, Infrastructure and Transport provisions of the pTTPP.
54. The NPSIB does not apply to the development, maintenance or upgrade of renewable electricity generation assets and activities and electricity transmission network assets and activities.

#### **National Policy Statement for Urban Development 2020 (“NPSUD”)**

55. The NPSUD recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. The NPSUD seeks to provide sufficient development capacity to meet the different needs of people and communities.
56. The NPSUD requires that councils:
- ensure urban development occurs in a way that takes into account the principles of the Treaty of Waitangi/ Te Tiriti o Waitangi.
  - ensure that plans make room for growth both ‘up’ and ‘out’, and that rules are not unnecessarily constraining growth.
  - develop, monitor, and maintain an evidence base about demand, supply, and prices for housing and land to inform planning decisions.
  - align and coordinate planning across urban areas.

- Engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning.
57. Policy 11 of the NPSUD removes minimum car parking requirements within Tier 1 – 3 territorial authorities. As Grey District is considered to be a Tier 3 authority and the pTTPP has adopted a region wide approach, all minimum car parking requirements are required to be removed.
58. The NPSUD outlines that in order to be sufficient for housing development, it must be demonstrated that it is infrastructure-ready. Infrastructure-ready is defined in clause 3.4(3) of the NPSUD as follows:

*Development capacity is infrastructure ready if:*

- (d) in relation to the short term, there is adequate existing development infrastructure to support the development of the land*
- (e) in relation to the medium term, either paragraph (a) applies, or funding for adequate development infrastructure to support development of the land is identified in a long-term plan*
- (f) in relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its long-term plan).*

**Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 (“NESETA”)**

59. The purpose of the NESETA is to:
- minimise the cost to councils of implementing the NPSET
  - ensure planning requirements are nationally consistent and provide adequately for maintenance and upgrading of transmission lines to achieve the intention of the NPSET
  - minimise RMA processing costs and delays.
60. The NESETA set out a national framework of permissions and consent requirements for activities on existing electricity transmission lines. Activities include the operation, maintenance and upgrading of existing lines. It sets out which transmission activities are permitted, subject to conditions, to control the environmental effects.
61. The NESETA specifies:
- consent requirements for activities which fail to meet the permitted activity conditions
  - that electricity transmission activities are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects on the environment
  - the resource consent requirements for electricity transmission activities that

do not meet the terms and conditions for permitted activities.

62. The NESETA only apply to existing high voltage electricity transmission lines and does not apply to the construction of new transmission lines or to substations. The NESETA does not apply to electricity distribution lines – these are the lines carrying electricity from regional substations to electricity users. The NESETA does not allow plan rules to be more stringent.
63. The NESETA permits, with standards:
- Overhead conductors, earth-wires, overhead telecommunication cables, and adding overhead circuits;
  - Increasing voltage or current rating, underground conductors and undergrounding transmission lines;
  - Transmission line support structures: Alteration and replacement;
  - Temporary structure and temporary line deviation;
  - Transmission lines: Removal;
  - Telecommunication devices;
  - Signs on a transmission line support structure;
  - Transmission line support structures: Discharges from blasting and applying protective coatings;
  - Trimming, felling and removing trees and vegetation;
  - Earthworks; and
  - Noise and vibration from construction activity

**Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2016 (“NESTF”)**

64. The NESTF provides national consistency in the rules surrounding the deployment of telecommunications infrastructure across New Zealand while ensuring the effects on the environment are minimised and managed appropriately.
65. The NESTF provides rules for the following activities:
- Cabinets in the road reserve, outside the road reserve and on buildings;
  - Antennas on existing poles in the road reserve;
  - Antennas on new poles in the road reserve;
  - Replacement, upgrading and co-location of existing poles and antennas outside road reserve (with different conditions in residential and non-residential areas);
  - New poles and antennas in rural areas;
  - Antennas on buildings (above a permitted height in residential areas);
  - Small-cell units on existing structures; and
  - Telecommunications lines (underground, on the ground and overhead).

## **Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)**

66. The NESCS is a relevant consideration for Energy, Infrastructure and Transport activities, in particular when such activities cease operating and new land use activities are proposed.

### **3.1.4 Poutini Ngāi Tahu Iwi Management Plans and Mana Whakahono ā Rohe**

67. The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.
68. While these documents focus on specific issues, they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.
69. The plan must be prepared in accordance with the Paetae Kotahitanga ki Te Tai Poutini Partnership Protocol Mana Whakahono ā Rohe 2020, agreement between Poutini Ngāi Tahu and Westland Regional Council (Schedule 1, section 1A of the RMA). Section 8 of the Mana Whakahono ā Rohe specifies the process to be followed when developing planning instruments, we understand this has been implemented in preparing the pTTPP.

### **3.1.5 West Coast Regional Policy Statement 2020**

70. Under section 75(3)(c) of the RMA, pTTPP must give effect to the West Coast Regional Policy Statement (RPS).
71. The RPS contains objectives and policies relevant to energy within Chapter 6 Regionally Significant Infrastructure. For the purpose of Chapter 6 of the RPS, the following infrastructure is identified as regionally significant infrastructure (RSI):
- The Regional Council seawalls, stopbanks and erosion protection works;
  - Telecommunications and radio communications facilities;
  - Public or community sewage treatment plants and associated reticulation and disposal systems;



- Public water supply intakes, treatment plants and distribution systems;
- Public or community drainage systems, including stormwater systems;
- Public or community solid waste storage and disposal facilities.

72. The objective is:

*Objective 6.1. Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.*

73. There are 8 policies, all relevant to the Energy, Infrastructure and Transport chapter of pTTPP.
74. Policy 6.1 seeks to ensure that the West Coast has a secure supply of energy to meet the needs of people and communities from either non-renewable or renewable sources. The Policy supports the infrastructure which supplies energy rather than energy supplies per se.
75. Policy 6.2 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast. Policy 6.2 also gives effect to Policies E1-E4 of the NPSREG which requires provision for renewable electricity generation, and Policy 6.2 of the NPSET which requires recognition of the National Grid.
76. Policy 6.3 gives effect to Policy C1 of the NPSREG, and Policy 3 of the NPSET. Electricity generation infrastructure needs to be located where the resource is and the electricity needs to be conveyed to users. The location of the necessary infrastructure can sometimes be physically, technically or operationally constrained. Those constraints can also apply to other forms of RSI. Such infrastructure may need to be located within areas containing high, outstanding or significant natural values.
77. Policy 6.4 seeks to provide for the operation, maintenance and future development of RSI, which can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as Reverse sensitivity, or by the effects of existing resource use.
78. Policy 6.5 recognises that the linear nature of many infrastructure networks determines its form, shape and location. Technical and operational requirements associated with infrastructure networks can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects. Policy 5 recognises that in some cases it may be appropriate for new infrastructure to be located in, or traverse parts of, a sensitive environment to achieve a net benefit, or lower overall adverse effects. These situations and the appropriateness of offsets and compensation need to be determined on a case-by-case basis having regard to relevant case law, national policy and good practice guidelines on offsets and compensation, and expert advice.
79. Policy 6.6 gives effect to the NPSREG and provides for existing renewable electricity generation activities and electricity distribution and transmission networks in areas of natural character or containing significant or outstanding values throughout the region.

80. Policy 6.7 provides a specific management approach for the National Grid of 'Seeking to avoid' adverse effects and other remedy or mitigate these. "Seek to avoid" means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and natural character.
81. Policy 6.8 recognises the need for planning for growth and development and the provision of local, regional and national infrastructure to proceed side-by-side in a coordinated and integrated way.
82. Chapter 9 of the RPS addresses matters in the coastal environment, including RSI. Within this chapter Policy 9.2 addresses the National Grid specifically and states:
- (1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.*
  - (2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and areas of high and outstanding natural character located within the coastal environment. In some circumstances, adverse effects on the values of those areas must be avoided.*
83. Policy 9.4 relates to new and existing renewable energy generation and states:
- Provide for new and existing renewable electricity generation activities in the coastal environment, including by having particular regard to:*
- (a) The need to be located where the renewable energy resource is available;*
  - (b) The technical, functional or operational needs of renewable electricity generation activities.*
84. Chapter 8 focuses on Land and Water with Policy 8.7 seeking that infrastructure be integrated with land development.
85. Chapter 11 focuses on Natural Hazards. Objective 11.1 is as follows:
- The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.*
86. There is one relevant policy in this chapter - Policy 11.3 that seeks to mitigate the impacts of climate change, including on infrastructure.

### **3.1.6 Other Relevant Documents**

#### **Te Whanaketanga Te Tai Poutini West Coast 2050 Strategy**

87. Te Whanaketanga is a collaborative document developed by Development West Coast,

West Coast Councils and Poutini Ngāi Tahu. It sets out key strategic directions for the West Coast around economic development, regional identity and stronger communities.

88. Te Whanaketanga recognises the vulnerability of the West Coast to natural hazards and to climate change. This can have significant implications on the electricity generation network as distribution networks – which are often located in areas subject to natural hazards and impacted by natural hazard events.
89. It is also important to consider the role that renewable energy can play in climate change mitigation and adaptation. Te Whanaketanga has a specific action around the development of renewable energy solutions, including opportunities in hydro, biomass, geothermal, biodiesel and green hydrogen.

### **Regional Land Transport Plan 2021 – 2031 (“RLTP”)**

90. This RLTP was developed by the West Coast Regional Transport Committee (“**RTC**”). The RTC is a joint committee of the region’s councils as well as Waka Kotahi. Developing the RLTP is the primary role of the RTC and is a requirement for each region’s RTC across New Zealand. It is part of the nationwide process in which local councils, regional councils, DoC and Waka Kotahi work together to identify the problems and prioritise investment in the land transport network.

## **3.2 Section 32AA Evaluation**

91. This report uses ‘key issues’ to group, consider and provide reasons for the recommended decisions on similar matters raised in submissions. Where applicable, the recommended decisions have been evaluated using section 32AA of the RMA.
92. The section 32AA further evaluation for each topic considers:
  - Whether the amended objectives are the best way to achieve the purpose of the RMA;
  - The reasonably practicable options for achieving those objectives;
  - The environmental, social, economic and cultural benefits and costs of the amended provisions;
  - The efficiency and effectiveness of the provisions for achieving the objectives; and
  - The risk of acting or not acting where there is uncertain or insufficient information about the provisions.
93. The section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

### **3.3 Procedural Matters**

94. No site visits or pre-hearing meetings are considered necessary in respect of the Energy, Infrastructure and Transport chapter. However, we have visited the general area of the West Coast.
95. Due to the clarity of submissions, no other correspondence or formal pre-hearing meetings with submitters needed to be undertaken.

## **4.0 Energy, Infrastructure and Transport Chapters Background Context**

96. The Energy, Infrastructure and Transport chapters have been formulated via an on-going collaborative drafting and consultation process, detailed in the pre-notification s32 report and summarised as:
  - Individual stakeholder meetings were held in 2019 with the district council asset teams, Waka Kotahi, Buller Electricity, New Zealand Energy, Westpower, Transpower, Trustpower, KiwiRail, Spark / Chorus, Westport Airport, Destination Westland, and Karamea Aerodrome.
  - Plan Development Phase workshops were held on Infrastructure, Energy and Transport with district council asset teams, Waka Kotahi, KiwiRail, Westpower Limited, Transpower New Zealand Limited, and Fire and Emergency Services.
  - The Draft Plan Consultation Phase was undertaken on 22 February 2022 which included multi-stakeholder and infrastructure provider workshops and individual consultation.
  - Pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of pTTPP was undertaken.

## **5.0 Consideration of Submissions Received**

### **5.1 Overview of Energy, Infrastructure and Transport Submissions Received**

97. Given the number, nature and extent of the submissions and further submissions received, this s42 report has been structured based on chapter, followed by section, as they appear in the pTTPP.
98. Section 5.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions.
99. Due to the large number of submissions received, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.

100. The discussion below relates to submissions received broadly on Energy, Infrastructure and Transport. The topics which are identified by key Energy, Infrastructure and Transport issues in this report are set out below:

- **Key Issue 1: General**
- **Key Issue 2: Critical Infrastructure**
- **Key Issue 3: SUB-R8**

## 5.2 Officer Recommendations

101. Recommended amendments are contained in *Appendix 1: Recommended Amendments to Energy, Infrastructure and Transport chapters*.

102. A full list of submissions and further submissions is contained in *Appendix 2: Submissions and Further Submissions related to Energy, Infrastructure and Transport chapters*.

103. Additional information can be obtained from the:

- Section 32 report on this chapter; and
- Overlays and maps on the ePlan.

### 5.2.1 Key Issue 1: General

#### Analysis of Submissions on Key Issue 1 – General

104. The Proprietors of Mawhera Tiamana Mawhera Incorporation (S621)<sup>1</sup> submitted on Energy, Infrastructure and Transport but provided no request or reasons. DoC (S602)<sup>2</sup> are neutral on the Energy, Infrastructure and Transport chapter as notified, as these do not affect priority conservation values, biodiversity values or their interests. We acknowledge these submissions.

### 5.2.2 Key Issue 2: Critical Infrastructure

#### Analysis of Submissions on Key Issue 2 – Critical Infrastructure

##### Overview

Provision(s)	Officer Recommendation(s)
Part 1: Definitions – Ngā Tautuhinga	Delete “critical infrastructure” from the definitions.
Part 1: Definitions	Insert a new definition for “regionally significant infrastructure” as

<sup>1</sup> S621.006

<sup>2</sup> S602.036

<p>– Ngā Tautuhinga</p>	<p>follows:</p> <p><u>Regionally significant infrastructure means:</u></p> <p>a) <u>The National Grid (as defined by the Electricity Industry Act 2010);</u></p> <p>b) <u>Other electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;</u></p> <p>c) <u>Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;</u></p> <p>d) <u>Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;</u></p> <p>e) <u>The State Highway network, and road networks classified in the One Network Road Classification Sub-category as strategic;</u></p> <p>f) <u>The regional rail networks;</u></p> <p>g) <u>The Westport, Greymouth, and Hokitika airports;</u></p> <p>h) <u>The Regional Council seawalls, stopbanks and erosion protection works;</u></p> <p>i) <u>Telecommunications and radio communications facilities;</u></p> <p>j) <u>Public or community sewage treatment plants and associated reticulation and disposal systems;</u></p> <p>k) <u>Public water supply intakes, treatment plants and distribution systems;</u></p> <p>l) <u>Public or community drainage systems, including stormwater systems;</u></p> <p>m) <u>The ports of Westport, Greymouth and Jackson Bay; and</u></p> <p>n) <u>Public or community solid waste storage and disposal facilities.</u></p>
<p>Entire Plan</p>	<p>Replace all references to “critical infrastructure” with “regionally significant infrastructure”</p>

105. Several submitters submitted in relation to the definition and reference to “critical infrastructure”, which is defined in the pTTPP as:

*"means the rail network, state highways, special purpose roads, airports, wastewater, reticulated water and stormwater plants, defence facilities, telecommunications networks and electricity generation, transmission and distribution assets."*

106. Several submitters (S442, S450, S451, S478, S663 & FS149)<sup>3</sup> support the definition of 'critical infrastructure' as notified.
107. As discussed in Section 2.2, the Strategic Direction s42A Report has discussed "critical infrastructure" and any proposed amendments to this term will have consequential amendments throughout the pTTPP.
108. Manawa Energy (S438)<sup>4</sup> seek that the term 'critical infrastructure' be replaced with 'regionally significant infrastructure' based on the RPS. It is proposed to define 'regionally significant infrastructure' as provided for in the RPS. Transpower NZ Ltd (FS110)<sup>5</sup>, RNZ (FS141)<sup>6</sup>, Westpower Limited (FS222)<sup>7</sup> WMS Group (HQ) Limited and WMS Land Co. Limited (FS231)<sup>8</sup> and BDC (FS149)<sup>9</sup> support submission S438.024 and seek a definition of 'critical infrastructure' is provided in accordance with the RPS. NZDF (FS31)<sup>10</sup> oppose submission S438.003, S438.024 and S608.006 in relation to the definition of 'critical infrastructure', as the definition of critical infrastructure provides for defence facilities.

The RPS defines 'regional significant infrastructure' as:

*"Regionally significant infrastructure means:*

- a) The National Grid (as defined by the Electricity Industry Act 2010);*
- b) Other electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;*
- c) Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;*
- d) Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;*
- e) The State Highway network, and road networks classified in the One Network Road Classification Sub-category as strategic;*
- f) The regional rail networks*
- g) The Westport, Greymouth, and Hokitika airports;*

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<sup>3</sup> S442.001, S450.001, S450.010, S451.006, S478.063, S663.001, FS149.008

<sup>4</sup> S438.003, S438.007, S438.024

<sup>5</sup> FS110.005

<sup>6</sup> FS141.005, FS141.006

<sup>7</sup> FS222.0172, FS222.0174, FS222.0175

<sup>8</sup> FS231.004

<sup>9</sup> FS149.068

<sup>10</sup> FS31.002, FS31.003, FS31.004

- h) The Regional Council seawalls, stopbanks and erosion protection works;*
- i) Telecommunications and radio communications facilities;*
- j) Public or community sewage treatment plants and associated reticulation and disposal systems;*
- k) Public water supply intakes, treatment plants and distribution systems;*
- l) Public or community drainage systems, including stormwater systems;*
- m) The ports of Westport, Greymouth and Jackson Bay; and*
- n) Public or community solid waste storage and disposal facilities.”*

We support Manawa Energy’s submission to replace “critical infrastructure” with “regionally significant infrastructure” throughout the pTTPP to ensure consistency with the RPS. The RPS does not provide for critical infrastructure, however, the Energy, Infrastructure and Transport chapters are must give effect to Chapter 6 – Regionally Significant Infrastructure of the RPS. In our opinion, there is a substantial discrepancy between the pTTPP and the RPS as a result of the use of “critical infrastructure” which this amendment throughout the pTTPP will address.

109. KiwiRail (S476)<sup>11</sup> and GDC (FS1)<sup>12</sup> support the definition of ‘critical infrastructure’, however, seek that it includes radiocommunication networks as provided for in the RPS. We agree with the relief sought and consider the proposed amendment to delete ‘critical infrastructure’ and insert ‘regionally significant infrastructure’ addresses the relief sought.

110. WCRC (S488)<sup>13</sup> seek that the definition of ‘critical infrastructure’ be amended to include ‘environmental monitoring facilities’ and ‘natural hazard mitigation’. We agree with the relief sought and consider the proposed amendment to delete ‘critical infrastructure’ and insert ‘regionally significant infrastructure’ addresses the relief sought.

111. BDC (S538)<sup>14</sup>, Forest & Bird (FS34)<sup>15</sup>, and GDC (FS1)<sup>16</sup> seek ‘ports’ being provided for in the definition of ‘critical infrastructure’. We agree with the relief sought and consider the proposed amendment to delete ‘critical infrastructure’ and insert ‘regionally significant infrastructure’ addresses the relief sought.

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<sup>11</sup> S476.001

<sup>12</sup> FS1.271

<sup>13</sup> FS488.005

<sup>14</sup> S538.010

<sup>15</sup> FS34.063

<sup>16</sup> FS1.411



112. Federated Farmers of New Zealand (S524)<sup>17</sup> Murray Stewart (FS115)<sup>18</sup>, and GDC (FS1)<sup>19</sup> seek the definition of 'critical infrastructure' be amended, however, the deletion of 'critical infrastructure' from the pTTPP makes this submission redundant.
113. Forest & Bird (S560)<sup>20</sup> seek the definition of 'critical infrastructure' be reworded so that it is limited to specific entities and infrastructure that deliver a service operated by a 'lifeline utility' (as defined in the Civil Defence Emergency Management Act 2002), as the current wording is considered broad and may capture infrastructure which is not 'critical'. NZDF (FS31)<sup>21</sup> oppose Forest & Bird's submission as the definition of a lifeline utility under the Civil Defence Emergency Management Act 2002 does not include NZDF facilities, however, they are considered to be required under the definition of critical infrastructure. Given the proposed deletion of 'critical infrastructure' and replacement with 'regionally significant infrastructure', it is considered that Forest & Bird's submission is no longer applicable, however, the proposed amendment supports their concern regarding the ambiguity.
114. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)<sup>22</sup> seek the definition of 'critical infrastructure' be amended to define 'special purpose road'. We acknowledge the relief sought, however, we consider this is redundant due to the proposed amendment to delete 'critical infrastructure' and insert 'regionally significant infrastructure'.

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<sup>17</sup> S524.006

<sup>18</sup> FS115.3

<sup>19</sup> FS1.257

<sup>20</sup> S560.061

<sup>21</sup> FS31.005

<sup>22</sup> S620.028

## Part Two: Energy / Te Pūngao

### 6.0 Consideration of Submissions Received

#### 6.1 Overview of Energy Submissions Received

115. Given the number, nature and extent of the submissions and further submissions received, this s42 report has been structured based on chapter, followed by section, as they appear in the pTTPP.

116. Section 6.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions.

117. Due to the large number of submissions received, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.

118. The topics which are identified by key Energy issues in this report are set out below:

- **Key Issue 1: General**
- **Key Issue 2: Definitions**
- **Key Issue 3: Overview**
- **Key Issue 4: Energy Objectives**
- **Key Issue 5: Energy Policies**
- **Key Issue 6: Energy Standards**

#### 6.2 Officer Recommendations

119. Recommended amendments are contained in *Appendix 1: Recommended Amendments to Energy, Infrastructure and Transport chapters*.

120. A full list of submissions and further submissions is contained in *Appendix 2: Submissions and Further Submissions related to Energy, Infrastructure and Transport chapters*.

121. Additional information can be obtained from the:

- Section 32 report on this chapter; and
- Overlays and maps on the ePlan.

##### 6.2.1 Key Issue 1: General

###### Analysis of Submissions on Key Issue 1 – General

122. Several submitters<sup>23</sup> submitted generally on matters relevant to the Energy

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<sup>23</sup> S190.037, S190.037, S299.027, S481.025, S560.108, S560.125, S560.126, S560.127,

chapter.

123. Numerous submitters<sup>24</sup> support the Energy chapter as notified. DoC (S602)<sup>25</sup> are neutral on the Energy chapter as notified, as the provisions do not affect priority conservation values, biodiversity values or their interests. We acknowledge the support for the Energy chapter as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.
124. Lynley Hargreaves (S481) and New Zealand Energy Limited (FS127)<sup>26</sup> seeks that provisions in the Energy chapter that support a low carbon lifestyle are retained. We acknowledge this submission and consider that pTTPP appropriately provides for a low carbon lifestyle.
125. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) seek that objectives and policies that support the development of renewable energy generation are included in the Energy chapter. We acknowledge this submission and consider that pTTPP appropriately supports the development of renewable energy generation.
126. Inger Perkins (S462)<sup>27</sup> seek the inclusion of methods in the pTTPP (other than rules) that support the installation of clean energy at a micro-scale. We do not support the inclusion of methods in the pTTPP as this would result in the Energy chapter being inconsistent with the remainder of pTTPP. In our opinion, the installation of clean energy at a micro-scale is provided for within the pTTPP, including ENG-R1, ENG-R5 and ENG-R14. We consider that these rules provide sufficient scope for micro-scale clean energy and insufficient rationale has been provided by the submitter to justify the change requested.
127. Forest & Bird (S560)<sup>28</sup> seek the deletion of 'Strategic Objectives'. Westpower Limited (FS222) do not support the relief sought. We do not support the relief sought as this amendment would be inconsistent with the entirety of the pTTPP.
128. Forest & Bird (S560) seek amendment to the matters of discretion, to provide for biodiversity and other natural values, as follows:

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S560.128, S560.129, S560.130, S560.442, S560.444, S560.439, S620.087, S620.088, S620.089, S620.090, FS34.026, FS127.025, FS222.0226, FS222.0227, FS222.0229, FS222.0233, FS222.0241, FS222.0242, FS222.0243, FS222.0244, FS222.0245, FS222.0246, FS230.067

<sup>24</sup> S181.001, S190.037, S581.012, FS34.018

<sup>25</sup> S602.036

<sup>26</sup> FS127.023, FS127.035

<sup>27</sup> S462.031

<sup>28</sup> S560.441

*The degree to which the proposed activity will cause significant adverse effects on Overlay chapter matters:*

- *Whether the activity will cause any adverse effects on Overlay chapter matters, and the requirement to manage those effects in accordance with the relevant Overlay provisions.*
- *Whether the activity will cause any adverse effects on areas meeting the significance criteria in Appendix 1 RPS and the requirement to manage those effects in accordance with the relevant Overlay provisions.*
- *The requirement to avoid and otherwise manage effects on biodiversity, natural character, and landscape in the coastal environment in accordance with policy 11, 13 and 15 NZCPS.*

Westpower Limited (FS222) oppose this submission as it seeks to duplicate relevant matters. We agree with Westpower Limited and reject the amendment sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the overview at the start of the Energy chapter provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

129. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)<sup>29</sup> seek the matter of discretion for Restricted Discretionary activities (ENG-R11, ENG-R12, ENG-R13 and ENG-R14) is amended as follows:

*The degree to which the proposed activity will cause significant adverse effects on Overlay chapter matters and sites listed in Appendix 10.*

We do not support the amendment sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the overview at the start of the Energy chapter provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

130. Transpower (S299) does not support the reference to other rules in the pTTPP in the overview of the Energy chapter as it should stand alone. Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) oppose this submission as the provisions of the Energy chapter should not be read in isolation to other portions of the pTTPP. Forest & Bird (FS34) oppose this submission as the relief sought is inconsistent with the NZCPS and RPS. We agree with Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) that the pTTPP should not be read in isolation, as a District Plan is to be read as a whole

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<sup>29</sup> S620.087, S620.088, S620.089, S620.090

document and as such, reject the request to remove references to other rules in the pTTPP.

131. Paul Finlay (S408)<sup>30</sup> seeks that provision is made for the critical need for the reliance on hydro power generation, in respect of resilience pre and post Alpine Fault Rupture and Climate Change required irrigation. In our opinion, there is provision for hydro power generation within the pTTPP, including ENG-R1, ENG-R5 and ENG-R14.
132. John Walsh (S527)<sup>31</sup> seeks for the planning map provision for the National Grid Lines overlay to be removed from 169 Alma Road as they appear to be no longer part of the National Grid and may limit future development of the site. John Walsh (S527) is concerned that the planning maps show National Grid Lines running through their property and Transpower have indicated that one or both of the lines would be removed as they may no longer be used. Transpower (FS110)<sup>32</sup> support John Walsh's submission as the Waimangaroa Westport (WMG-WPT-A) 100kV line will be divested and is no longer owned or operated by Transpower and a section of the Inangahua Westport B (IGH-WPT-B) 100kV line will be decommissioned and dismantled. The Waimangaroa Substation is in the process of being dismantled and the Westport Substation has been dismantled. Based on this, Transpower have indicated that both designations will be relinquished and an update will be provided at the hearing. With Transpower's support and formalization of the designation relinquishment, we accept the removal of the overlay.
133. Manawa Energy (S438)<sup>33</sup> support the inclusion within each of the relevant Zone chapters that provisions related to renewable electricity generation / regionally significant infrastructure captured by the ENG and specific overlay chapters do not apply. Westpower Limited (FS222)<sup>34</sup> oppose Manawa Energy's submission as the pTTPP clearly states "Area Specific Provisions (Zone chapters) do not apply to energy activities", which relates to the entire chapter, not just standards. We acknowledge both Manawa Energy and Westpower Limited's submission and do not recommend amendment to the current wording as we consider it addresses the intent of both submitters.
134. Frank and Jo Dooley (S478)<sup>35</sup> and Buller Electricity Limited (S451)<sup>36</sup> seek the

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<sup>30</sup> S408.001

<sup>31</sup> S527.001

<sup>32</sup> FS110.051

<sup>33</sup> S438.127

<sup>34</sup> FS222.0198

<sup>35</sup> S478.058

<sup>36</sup> S451.001

corridor protection rules that relate to Energy be included within the Zone Chapters. We do not support the relief sought as the pTTPP should not be read in isolation, as a District Plan is to be read as a whole document.

## 6.2.2 Key Issue 2: Definitions

### Overview

Provision(s)	Officer Recommendation(s)
Part 1: Definitions – Ngā Tautuhinga: energy	Amend the definition of 'energy activity' as follows:  <i>means the use of land, buildings and structures for <del>the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation.</del></i>  <ul style="list-style-type: none"> <li>• <i><u>Renewable electricity generation activities;</u></i></li> <li>• <i><u>Energy investigation, generation, transmission and distribution; and</u></i></li> <li>• <i><u>Non-renewable electricity generation activities.</u></i></li> </ul>
Part 1: Definitions – Ngā Tautuhinga: small scale	Delete the definition of 'small scale' and replace it with 'small and community-scale distributed electricity generation' as follows:  <i><u>means renewable electricity generation activities at a capacity of no greater than 20kW for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network.</u></i>
Part 1: Definitions – Ngā Tautuhinga: large scale	Amend the definition of 'large scale' and replace it with 'large scale distributed electricity generation' as follows:  <i><del>means, when applied to provisions in the Energy Chapter,</del>  <u>electricity generation activities utilising renewable energy sources with a capacity of greater than <del>100kW</del>20kW for the purposes of exporting electricity directly into the distribution network or National Grid. It includes all ancillary components and activities such as lines, poles, structures, substations, climate / environmental monitoring equipment, earthworks, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks.</u></i>

	<i><u>and site rehabilitation works.</u></i>
Part 1: Definitions – Ngā Tautuhinga: network utility	Insert a definition for 'network utility' as follows: <i><u>means a project, work, system or structure that is a network utility operation undertaken by a network utility operator.</u></i>
Part 1: Definitions – Ngā Tautuhinga: non-renewable electricity generation activity	Insert a definition for 'non-renewable electricity generation activity' as follows: <i><u>means the construction, operation and maintenance of structures associated with electricity generation from non-renewable energy sources.</u></i>
Part 1: Definitions – Ngā Tautuhinga: substation (zone)	Amend the definition of 'substation (zone)' as follows: <i>means the ground-mounted equipment used to convert sub-transmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard. <u>This does not include substations that are directly connected to the National Grid.</u></i>
Part 1: Definitions – Ngā Tautuhinga: Transmission Line	Amend the definition of 'transmission line' as follows: <i><del>means:</del></i> <i><del>the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and:</del></i> <i><del>includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but</del></i> <i><del>does not include an electricity substation.</del></i> <i><u>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</u></i>
Part 1: Definitions – Ngā Tautuhinga: National Grid	Amend the definition of 'national grid' as follows: <i><del>means the assets used or owned by Transpower NZ Limited</del></i> <i><u>has the same meaning as given in the National Policy Statement on Electricity Transmission (2008).</u></i>

<p>Part 1: Definitions – Ngā Tautuhinga: National Grid Yard</p>	<p>Amend the definition of 'national grid yard' as follows:</p> <p><i>b. the area located 12m in any direction from the outer <u>visible</u> edge of a support structure for an overhead 66kV or 110kV National Grid transmission line; and</i></p>
<p>Part 1: Definitions – Ngā Tautuhinga: National Grid Subdivision Corridor</p>	<p>Amend the definition of 'national grid subdivision corridor' as follows:</p> <p><i>means the area measured either side of the centreline of above ground National Grid transmission <del>and distribution</del> lines as follows (and illustrated in green below):</i></p>
<p>Part 1: Definitions – Ngā Tautuhinga: renewable electricity generation activities</p>	<p>Amend the definition of 'renewable electricity generation activities' as follows:</p> <p><i>means the construction, operation, maintenance and upgrading of structures associated with renewable electricity generation. This includes <u>along with large scale activities</u>, small and community-scale distributed renewable electricity generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity. It includes all ancillary components and activities such as substations, climate/environmental monitoring equipment, <u>earthworks, vegetation clearance</u>, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks, and site rehabilitation works.</i></p>

### Analysis of Submissions on Key Issue 2 – Definitions

135. Numerous submitters seek amendment to definitions related to Energy, which would result in consequential amendments to *Part 1 – Introduction and General Provisions - Te Wāhanga 1 - Te Whakataki me Ngā Kōrero Whānui* of the pTTPP.

136. Transpower (S299)<sup>37</sup> seek the definitions of 'energy activity', 'network utility operator', 'significant electricity distribution line', and 'upgrading' be retained as

<sup>37</sup> S299.004, S299.011, S299.015, S299.019



notified. Manawa Energy (S438)<sup>38</sup> seek that the definitions of 'energy activity' and 'upgrading' be retained as notified. Manawa Energy does request that 'upgrading' is referred to as 'upgrading [/ upgrade](#)' for clarity. We do not support the inclusion of 'upgrade' as we consider the current wording to be consistent with the National Planning Standards.

137. Frank and Jo Dooley (S478)<sup>39</sup> seek that the definitions of 'national grid', 'national grid subdivision corridor', 'national grid yard', and 'network utility operator' be retained as notified. We acknowledge the support for these definitions. In addition to this, Frank and Jo Dooley (S478)<sup>40</sup> seek the use of the term 'network utility operator' be consistently referenced throughout the pTTPP. We agree it should be consistent throughout the pTTPP and recommend amendment where identified.

138. Westpower Limited (S547)<sup>41</sup> seek that the definitions of 'community scale', 'large scale', 'renewable electricity generation', 'significant electricity distribution line', 'substation (distribution)', and 'substation (zone)' be retained as notified. We acknowledge the support for these definitions, however we have recommended amendments in response to submissions as outlined below.

139. Buller Electricity Limited (S451)<sup>42</sup> seek that the definitions of 'community scale', 'energy activity', 'infrastructure', 'national grid', 'national grid subdivision corridor', and 'network utility operator' be retained as notified. We acknowledge the support for these definitions, however we have recommended amendments in response to submissions as outlined below.

140. Buller Electricity Limited (S451) and BDC (S538)<sup>43</sup> propose a definition of 'network utility' be provided. RNZ (FS141)<sup>44</sup> support the proposed definition of network utility, however, seek consistency through the pTTPP. KiwiRail (FS236)<sup>45</sup> support the new definition as it provides clarification that the transport corridor includes formed rail and adjacent land. Westpower Limited (FS222)<sup>46</sup> oppose BDC's submission as they are concerned there are multiple terms for the same or similar activities that add unwarranted complexity to the pTTPP. We support the inclusion of a definition for

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<sup>38</sup> S438.009

<sup>39</sup> S478.069, S478.070, S478.071, S478.072

<sup>40</sup> S478.073

<sup>41</sup> S547.021, S547.029, S547.034, S547.038, S547.040, S547.041

<sup>42</sup> S451.005, S451.007, S451.009, S451.012, S451.013, S451.014, S451.015

<sup>43</sup> S451.016, S538.004

<sup>44</sup> FS141.004, FS141.008

<sup>45</sup> FS236.002

<sup>46</sup> FS222.046

network utility as this provides clarity and will support the implementation of the provisions.

141. Westpower Limited (S547) seek amendment to the definition of 'energy activity' as follows:

*electricity generation and, in terms of distribution of electricity, connection and supply to consumers of electricity. Energy activities include all related infrastructure and assets.*

We consider that the definition of 'energy activity' could be amended to provide further clarity regarding what is categorised as an energy activity.

142. Westpower Limited (S547)<sup>47</sup> seek a definition be inserted for 'major dam' as follows:

*means any dam of the same, or greater, scale as large dams associated with Large Scale hydro-electric generation schemes in Clause 3.31 of the National Policy Statement for Freshwater 2020.*

We do not support the insertion of a definition for 'major dam', the submitter has not provided sufficient justification to support the need to include such definition. The National Planning Standards do not specify "dam" or "major dam" as a definition and in our experience District Plans do not specify such a definition.

143. Forest & Bird (S560)<sup>48</sup> and BDC (FS149)<sup>49</sup> seek amendment to the definition of 'energy activity' or the amendment throughout the Energy chapter to be specific to the National Grid or renewable electricity transmission, distribution and renewable electricity generation activities, as the current wording indicates the activity could extend beyond electricity and renewable energy. Westpower Limited (FS222) oppose this submission as it seeks to amend the definition of energy activity. We consider that the definition of 'energy activity' could be amended to provide further clarity regarding what is categorised as an energy activity.

144. Forest & Bird (S560)<sup>50</sup> seek amendment to the definition of 'renewable electricity generation activities' to clarify its application to renewable electricity generation structures and associated/ancillary activities. BDC (FS149)<sup>51</sup> opposes amending the definition but does consider there is merit in considering an amendment to the definition of critical infrastructure so that it only includes electricity generation activities that generate more than 1MW of electricity (as per the definition of regionally

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<sup>47</sup> S547.127

<sup>48</sup> S560.063

<sup>49</sup> FS149.061

<sup>50</sup> S560.075, S560.421

<sup>51</sup> FS149.068

significant infrastructure in the RPS). We do not support the relief sought by Forest & Bird as in our opinion this is inconsistent with the NPSREG.

145. Westpower Limited (S547)<sup>52</sup> seek for references to energy activity to be consistent to rationalise and ensure consistency of terms related to activities undertaken by Westpower as far as is possible throughout the pTTPP. Frida Inta (FS223)<sup>53</sup> and Buller Conservation Group (FS224)<sup>54</sup> oppose the submission from Westpower Limited with no reason stated. We do not support the relief sought by Westpower Limited as this is limited to Westpower activities and there is a lack of technical evidence to demonstrate appropriate justification for amendment. In our opinion, Westpower Limited have not provided evidence of what the issue is with reference to energy activities and therefore we reject the request.

146. Several submitters (S438, S478, S560, FS141, FS149, FS34, FS110, FS138 & FS222)<sup>55</sup> seek definitions of small and community-scale distributed electricity generation, large scale, minor upgrade, and regionally significant infrastructure be included in the pTTPP for clarity and in accordance with higher order planning documents (including NPSREG). We accept the inclusion of a definition of 'small and community-scale distributed electricity generation'. The pTTPP currently provides a definition of 'small scale', however there are no electricity distribution activities limited to small scale provided for, only small and community-scale distributed electricity generation. For consistency with the Energy provisions, we recommend that 'small scale' is deleted and replaced with a definition for 'small and community-scale distributed electricity generation' in accordance with the NPSREG. In our opinion, the definition in the NPSREG is appropriate, however, it does not provide a limit to the scale and we therefore consider it is necessary to adopt the capacity provided for under the definition of 'small scale' in the pTTPP. 20kW capacity is appropriate in our opinion as it ensures viable generation is provided for and encouraged (20kW of renewable electricity generation, such as solar, would allow for approximately 160m<sup>2</sup> of solar panels)<sup>56</sup>.

147. Based on the amendment to 'small scale', we consider a consequential

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<sup>52</sup> S547.001

<sup>53</sup> FS223.009

<sup>54</sup> FS224.009

<sup>55</sup> S438.002, S438.006, S438.012, S438.018, S438.046, S478.067, S560.129, FS141.007, FS149.0150, FS34.055, FS34.063, FS110.007, FS127.033, FS138.0010, FS222.0151, FS222.0172, FS222.0175, FS222.0176, FS222.0179, FS222.0180

<sup>56</sup> *Electricity Authority - Regulating New Zealand's small-scale distributed generation Fact sheet*  
7 <https://www.ea.govt.nz/dmsdocument/14274>

amendment is required to the definition of 'large scale' to 'large scale distributed electricity generation' for consistency. This amendment is generally related to the title of the definition as the pTTPP wording of 'large scale' has been adopted, however, the capacity has been amended from greater than 100kW to 20kW. We consider this is necessary, to avoid a discrepancy between the small and community scale and large scale distributed electricity generation of 20kW to 100kW.

148. Westpower Limited (S547)<sup>57</sup> seek the definition of 'upgrading' be amended as follows:

means

- i. in the case of the distribution of electricity an increase in voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage, or
- ii. in the case of buildings and renewable energy generation activities means an increase in the character, scale and intensity of the activity, and
- iii. excludes maintenance and repair

RNZ (FS141)<sup>58</sup> oppose this amendment and considers it is less clear than the pTTPP version and appears to be focused on the specific issue of electricity lines, which makes the definition less suitable for other infrastructure provides. We agree with RNZ that the proposed amendment sought by Westpower Limited does not provide further clarity and inappropriately focuses the definition on electricity lines.

149. Frank and Jo Dooley (S478) and Buller Electricity Limited (S451)<sup>59</sup> seek the definition of 'upgrading' be amended as follows:

*means in relation to infrastructure and renewable electricity generation activities, ~~the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure and renewable electricity generation activities;~~ an increase in kV wattage/transmission for an existing distribution line, or increase in the footprint of an existing structure/building, but excludes maintenance and repair.*

We do not support the relief sought by Frank and Jo Dooley as we consider this is limiting and more specific to energy infrastructure.

150. Manawa Energy (S438) seek a new definition for 'non-renewable electricity activities' be included as follows:

means the construction, operation and maintenance of structures associated

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<sup>57</sup> S547.043

<sup>58</sup> FS141.009

<sup>59</sup> S451.018

*with electricity generation from non-renewable energy sources.*

We support the inclusion of the proposed definition for 'non-renewable electricity activities' as this supports the definition of 'energy activity' and provides clarification for plan users.

151. Transpower (S299) seek to amend the definition of 'substation (zone)' to include a concluding statement as follows: *'This does not include substations that are directly connected to the National Grid.'* as the wording used within ENG-R2 and ENG-R11 applies this wording. Forest & Bird (FS34)<sup>60</sup> generally supports the clarification and notes it may require consequential amendments to ensure that the effects of substations either within the zone provisions or under other provisions can be fully assessed with respect to effects on indigenous biodiversity and ecosystem function. We agree with the relief sought by Transpower as it provides clarity and clarifies the difference between Substation (Zone) and National Grid Subdivision Corridor.
152. Transpower (S299)<sup>61</sup> seek the definition of 'national grid' be amended as follows: "National Grid ~~*means the assets used or owned by Transpower NZ Limited*~~ *has the same meaning as provided in the National Policy Statement on Electricity Transmission 2008.*" Transpower requests that the meaning is amended to refer to the definition in the NPSET, rather than incorporating the current NPSET definition directly. This ensures that the definition remains consistent with the NPSET without requiring a plan change, if the NPSET definition is updated at any point during the life of the Plan. It also provides clarity to plan users that the definition reflects that in the NPSET. We support the relief sought by Transpower for the reasons provided in their submission.
153. Transpower (S299)<sup>62</sup> seek the definition of 'national grid yard' be amended to include 'visible' in relation to the outer edge. We support this amendment as it is consistent with the NPSET.
154. Transpower (S299)<sup>63</sup> seek the definition of 'national grid subdivision corridor' be amended to remove reference to 'distribution lines'. We support this amendment as it is consistent with the NPSET.
155. Transpower (S299) seek the definition of 'transmission lines' be amended to be replaced *'with has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.'* We support this amendment as it is consistent with the NESETA.

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<sup>60</sup> FS34.023

<sup>61</sup> S299.008, S299.090

<sup>62</sup> S299.009, S299.010

<sup>63</sup> S299.009, S299.010

156. Manawa Energy (S438)<sup>64</sup> seek that the definition of 'renewable electricity generation' be retained as notified, however, seek that the definition of 'renewable electricity generation activities' be amended to include earthworks and vegetation clearance as ancillary components and activities. We agree with the amendment of the definition of 'renewable electricity generation activities' as in our opinion this is consistent with the NPSREG and ancillary earthworks and vegetation clearance are considered fundamental elements of installing, maintaining and operating such activities.

157. Horticulture New Zealand (S486 & FS55)<sup>65</sup> and Federated Farmers of New Zealand (S524)<sup>66</sup> seek the definition of 'significant electricity distribution line' be amended to a voltage of 66kV or greater. We do not support this amendment as we consider that this is inconsistent with New Zealand Standards.

158. Westpower Limited (S547)<sup>67</sup> seek that the definition of 'renewable electricity generation activities' be amended as follows:

*upgrading of structures associated with renewable electricity generation. This, along with large scale activities, includes small and community-scale ....*

We support the relief sought by Westpower Limited and consider that it provides clarity and removes confusion regarding the status of large scale activities.

159. Westpower Limited (S547)<sup>68</sup> seek the insertion of a new definition for 'minor upgrading' for distribution lines as follows:

means in relation to Distribution lines (including customer connections):

- (a) Realignment, reconfiguration or relocation of an existing: electricity line, cable, pole, conductors, cross arms or cabinets that is within 5m of the existing alignment or location.
- (b) All alterations and additions to overhead lines, including the placement of new lines on existing poles, that:
  - do not increase the number of conductors or wires by more than 100 per cent, or comprise new conductors or wires that do not have a diameter greater than 20 per cent of the combined diameter of the existing wires or conductors being replaced, or
  - include cross arms with a length exceeding the existing length by more than 100 per cent.

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<sup>64</sup> S438.015, S438.016

<sup>65</sup> S486.006, FS55.7

<sup>66</sup> S524.023

<sup>67</sup> S547.035

<sup>68</sup> S547.044

- (c) The addition of earthwires, either overhead or underground, and underground earthgrids, which may contain telecommunications lines, and earthpeaks,
- (d) Any pole which replaces an existing pole provided that:
- it must not have a diameter that is more than the existing pole's diameter at its largest point plus 50 per cent, and
  - it must not have a height greater than 25m, and
  - it must be located not more than 5m from the existing pole.
- (e) Modification of an existing pole:
- only where the mechanical loading requirements make this necessary in order to undertake reconductoring or the reconfiguration of equipment, such as staywires, anchor blocks, on existing overhead electricity and telecommunication lines, or
  - when modifications to structures are required to meet mechanical loading requirements provided that the height and profile of any modified support structures remains the same as existed prior to the improvements.
- (f) The installation of new mid-span electricity poles in existing networks to address clearances in NZECP 34:2001.
- (g) An increase in the power carrying or operating capacity, efficiency or security of electricity lines, where this uses the existing network utility and meets the requirements of clauses (c)-(f) above.
- Minor Upgrading means in relation to energy activity buildings and renewable energy generation where the activities are the same or similar in character, scale or intensity.

Forest & Bird (S560)<sup>69</sup> also seek the insertion of a definition for 'minor upgrade'. We do not support Westpower Limited or Forest & Bird's request as both propose to limit the extent of minor upgrading to specific activities, which in our opinion is inconsistent with the pTTPP. We consider the definition of 'upgrading' is appropriate.

### 6.2.3 Key Issue 3: Overview

#### Overview

Provision(s)	Officer Recommendation(s)
Overview, paragraph 1	Amend paragraph 1 as follows:  ...As such they require specific recognition <del>and protection</del> , as they are

<sup>69</sup> S560.081

	<i>critical to the social,...</i>
Overview, paragraph 2	Amend paragraph 2 as follows:  <i>The National Policy Statement for Electricity Transmission Activities requires specific recognition and protection of the National <del>g</del>Grid, <del>with renewable electricity recognised in the</del> <u>The</u> National Policy Statement on Renewable <del>Energy</del> <u>Electricity</u> Generation <u>recognises the national significance of electricity generation activities, including the need for, and benefits from renewable electricity generation.</u></i>

### **Analysis of Submissions on Key Issue 3 –Overview**

160. There were nine submitters<sup>70</sup> who submitted on the overview.
161. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek that the overview be amended to correctly reference the NPSREG. We agree that the reference is incorrect and should be amended.
162. Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) support the Energy chapter overview, subject to a minor amendment to provide a 'comma' when referencing the 'Energy, Infrastructure and Transport' section. We support the requested amendment as it is grammatically correct and provides clarity.
163. Horticulture New Zealand (S486) and Forest & Bird (FS34) seek that references to the protection of regionally significant infrastructure be removed as it implies there is a hierarchy where regionally significant infrastructure is prioritised and does not align with the NPSET, with 'recognise and provide for' being more appropriate. Transpower (FS110) oppose this submission, and that the proposed wording gives effect to Policies 10 and 11 of the NPSET. We agree with submitters S486 and FS34 that 'protection' is not appropriate noting the NPSET and RPS do not specify the protection of regionally significant infrastructure, rather ensuring its ongoing development, operation, maintenance, and upgrading. We do not support the removal of references to regionally significant infrastructure.
164. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek amendment of the second paragraph of the overview to provide context regarding the situation in the West Coast. The current overview makes no comment about the actual West Coast situation, nor does it highlight the importance of renewable electricity

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<sup>70</sup> S299.028, S438.035, S438.047, S547.066, S547.067, S547.068, S547.069, S547.070, S547.071, FS110.015, S451.019, S486.013, S560.107, S560.437, S560.438, FS34.027, FS34.044, FS34.059, FS41.39, FS41.50, FS127.025, FS127.024, FS127.049, FS127.050, FS127.051, FS127.052, FS127.053, FS230.068, FS230.0373, FS222.0225



activities. Forest & Bird (FS34) oppose this submission, on the basis that other activities outside of the Energy chapter should be considered. We do not support the amendment sought by submitters S547 and FS127 as we consider sufficient context is provided relating to the West Coast and the proposed or any further wording would be unnecessary given it is an overview paragraph.

165. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek the point relating to Financial Contributions be amended to correctly reference 'Energy', not 'Infrastructure' and the point relating to General District Wide Matters be amended to remove reference to activities on surface water. We do not support this submission as the wording is intended to provide for 'infrastructure'. Infrastructure is what financial contributions pay for, not energy, rather in this case it is referring to infrastructure required for energy activities. We reject the deletion of activities on surface water as this ensures that any energy activity proposed on surface water considers the necessary provisions of the pTTPP.

166. Manawa Energy (S438)<sup>71</sup> support the reference to other chapters in the overview but seek it be provided in a differentiated text (**bold**), and seek the deletion of '~~Energy activities, including~~' from the first sentence of paragraph 1. We do not consider it is necessary to differentiate text, as it is hyperlinked through the ePlan. We also do not support the deletion sought of 'energy activities including' as it does not align with the definition of 'energy activities'. Energy activities is referenced throughout the chapter; therefore, in our opinion, it is important to introduce this term in the chapter overview.

167. Transpower (S299)<sup>72</sup> seek that the Energy chapter is self-contained and does not reference other chapters to ensure they do not apply to the National Grid. Westpower Limited (FS222)<sup>73</sup> and Te Runanga o Ngati Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41)<sup>74</sup>, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (FS41)<sup>75</sup> and Forest & Bird (FS34)<sup>76</sup> opposes this submission as it seeks to fragment the pTTPP which effects the function and implementation of the pTTPP. We agree with submitters, FS222 and FS41, that this would fragment the pTTPP, where it is intended to be read as a whole document. Exclusions can be appropriately provided where provisions do not apply to

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<sup>71</sup> S438.032, S438.034

<sup>72</sup> S299.042

<sup>73</sup> FS222.049

<sup>74</sup> FS230.070

<sup>75</sup> FS41.039, FS41.105, FS41.107

<sup>76</sup> FS34.027

the National Grid.

### 6.3.4 Key Issue 4: Energy Objectives

#### Overview

Provision(s)	Officer Recommendation(s)
ENG-01	Amend as follows:  <i>To recognise the local <del>and</del>, regional, <del>and national</del> benefits of electricity transmission, distribution and renewable electricity generation activities, <del>by providing</del> for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.</i>
ENG-02	Retain ENG-02 as notified
ENG-03	Amend as follows:  <i>To provide for the development, operation, maintenance and upgrade of energy activities and to protect them from the adverse effects of <del>incompatible</del> subdivision, <del>use</del> and development.</i>
ENG-04	Retain ENG-04 as notified

#### Analysis of Submissions on Key Issue 4 – Objectives

168. There were numerous submitters<sup>77</sup> who submitted on the Energy objectives collectively. Several submitters (S538, S558, S566, S567 & S574) support the Energy objectives as notified. We acknowledge the support for the Energy Objectives as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.

#### **ENG-01**

169. There were nine submitters<sup>78</sup> who submitted on ENG-01. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190), Transpower (S299), Horticulture New Zealand (S486) and Forest & Bird (S560) support ENG-01 as notified. We acknowledge the support for ENG-01 as notified, however we have

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<sup>77</sup> S451.023, S478.080, S538.017, S547.073, S547.075, S547.077, S558.428, S566.428, S567.048, S574.428, FS127.007

<sup>78</sup> S190.038, S299.029, S438.036, S451.020, S478.077, S486.014, S547.074, S560.109, FS58.020, FS127.008, FS127.027

recommended amendments in response to submissions as outlined below.

170. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek to amend ENG-O1 as follows:

*...renewable electricity generation, by providing for their development,...*

Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and New Zealand Energy Limited (FS127) effectively seek the same relief, with similar wording to ensure ENG-O1 reads correctly. Kāinga Ora (FS58) oppose this submission due to concern it creates an overly restrictive framework. We support the amendment sought by Manawa Energy as in our opinion it will provide greater clarity for plan users and aligns with the NPSREG, specifically its Objective and Policy A.

171. Westpower Limited (S547) seek to amend ENG-O1 as follows:

*To recognise and provide for local, regional and national benefits of ~~electricity transmission, distribution and~~ renewable electricity generation activities, transmission, distribution and supply activities. ~~for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.~~*

In addition to the provision of an additional objective to address separately the suggested content for deletion from ENG-O1:

*To enable the safe, efficient and integrated development, operation, maintenance and upgrading of Energy Activities, including related Infrastructure and Critical Infrastructure, to meet the needs of the West Coast/Te Tai o Poutini.*

Westpower Limited consider these matters should be separated for clarity. We support the inclusion of 'national benefits' within the notified version of ENG-O1 as this is consistent with the RPS (Objective 6.1). The separation of ENG-O1 and addition of a new objective is in our opinion unnecessary as it is considered to be provided for under ENG-O4.

## **ENG-O2**

172. There were numerous submitters<sup>79</sup> who submitted on ENG-O2. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Transpower (S299) support ENG-O2 as notified. We acknowledge the support for ENG-O2 as notified, however we have recommended amendments in response to submissions as outlined below.

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<sup>79</sup> S190.039, S299.030, S438.037, S451.021, S478.078, S547.076, S560.110, S560.445, S560.446, FS127.009, FS127.028

173. Forest & Bird (S560) seek to delete or amend ENG-O2 to ensure energy activities covered in the Energy chapter are limited to energy distribution and supply, and energy generation. In addition, Forest & Bird and Manawa Energy sought 'minimise' be replaced with '[\*avoid, remedy or mitigate in accordance with the Natural Environment and District Wide chapters of this Plan.\*](#)'

We do not support the amendment of ENG-O2 to replace 'minimise' with 'avoid, remedy or mitigate' as in our opinion 'avoid, remedy or mitigate' is too general for an objective. We consider 'minimise' reflects that there are scenarios where it is not possible or practical to avoid, remedy or mitigate all effects from energy activities due to their technical, functional, operational and locational constraints. In our opinion 'minimise' provides greater certainty and is consistent with the approach taken throughout pTTPP. We do not support the balance of the amendment sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Energy chapter overview provides guidance regarding other chapters to be read in conjunction with the ENG chapter, therefore it would be a duplication to include it under specific objectives and policies.

174. Buller Electricity Limited (S451), Frank and Jo Dooley (S478), and New Zealand Energy Limited (FS127)<sup>80</sup> seek ENG-O2 be reworded as follows:

[\*Have particular regard to the constraints imposed by the technical, locational and operational requirements when seeking to avoid, remedy or mitigate adverse effects on communities and the environment from an energy activities design and location.\*](#)

For the reasons provided in paragraph 173 above, we do not support the request to amend ENG-O2 to replace 'minimise' with 'avoid, remedy or mitigate'. We do not support the balance of the amendment sought by Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) as 'have particular regard to' has comparable policy directive as 'to recognise' and are considered to both direct the same outcome.

175. Westpower Limited (S547) seek to amend ENG-O2 as follows:

[\*To recognise and provide for the technical, functional, and operational and locational needs associated with the location and design of Energy Activities, including Critical Infrastructure. and to ~~minimise adverse effects of these activities on communities and the environment.~~\*](#)

We do not support the amendments sought by Westpower Limited (S547) as the RMA requires adverse effects on communities and the environment of activities to be minimised. The National Planning Standards defines functional and operational need, which are considered to encompass technical and locational. Additionally, we consider

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<sup>80</sup> S451.021, S478.078, FS127.009

the submitter did not appropriately specify the reason for the relief sought.

### **ENG-03**

176. There were numerous submitters<sup>81</sup> who submitted on ENG-03. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Transpower (S299) support ENG-03 as notified. We acknowledge the support for ENG-03 as notified, however we have recommended amendments in response to submissions as outlined below.

177. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek to amend ENG-03 as follows:

*...upgrade of energy renewable electricity generation activities and... incompatible subdivision, use and development.*

The submitters consider ENG-03 should recognise the need to provide for renewable electricity generation and the reverse sensitivity effects on renewable electricity generation activities, in accordance with the NPSREG. We support the inclusion of 'use' to provide consistency with the RMA, however, it is considered unnecessary to specify 'renewable electricity generation' as this is captured in the definition of 'energy activity' as defined in Part 1 of the pTTPP as follows: 'means the use of land, buildings and structures for the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation'. A hyperlink to this definition can be provided via the e-Plan.

178. Buller Electricity Limited (S451), Frank and Jo Dooley (S478), Kāinga Ora (FS58) and New Zealand Energy Limited (FS127) seek to amend ENG-03 to give effect to the RPS as follows:

*To ~~provide for~~ enable the development, operation, maintenance and upgrade of energy activities ~~and to protect them from the adverse effects of incompatible subdivision and development.~~*

In our opinion, 'provide for' has comparable policy directive as 'enable' and are considered to both result in the same outcome and on this basis we do not accept the amendments sought. We do not support the deletion of the second portion of ENG-03 as notified, as protection from adverse effects provides greater policy directive in our opinion.

179. Horticulture New Zealand (S486), Federated Farmers of New Zealand (S524), Kāinga Ora (FS58) and Forest & Bird (FS34) seek to amend ENG-03 to remove the

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<sup>81</sup> S190.040, S299.030, S438.038, S451.022, S478.079, S486.015, S524.033, S547.078, S560.111, S560.447, FS34.060, , FS55.15, FS55.16, FS58.012, FS58.013, FS58.014, FS58.015, FS127.0010, FS127.029

protection focus as follows:

*...upgrade of energy activities and to ~~protect them from~~ ensure that they are not compromised by the adverse effects of incompatible subdivision, use and development.*

We do not support the amendment requested by submitters, with the exception of the inclusion of 'use' as this is consistent with the RMA. The provision of protection ensures that energy activities will not be compromised, therefore we consider the current wording appropriately provides for the intent of this submission.

180. Forest & Bird (S560) consider ENG-03 is too broad and should be limited to electricity generation, distribution and supply and renewable energy generation. The submitter seeks to delete or amend ENG-03 as follows:

*To provide for the development, operation, maintenance and upgrade of electricity generation, distribution and supply and renewable energy generation ~~energy activities~~ where adverse effects can be appropriately avoided, remedied or mitigated in accordance with the Natural Environment and District Wide chapters of this Plan and to protect them from the adverse effects of incompatible subdivision and development.*

In addition, the submitter considers this objective to be a blanket enabling provision that does not address adverse effects. Kāinga Ora (FS58) supports that energy activities should appropriately avoid, remedy or mitigate adverse effects. We do not support the amendment sought by Forest and Bird as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the overview at the start of the Energy chapter provides guidance regarding other chapters, therefore it would be a duplication to include it under specific objectives and policies.

181. Westpower Limited (S547) seek for ENG-03 to be reworded as follows:

*To protect Energy Activities, including Critical Infrastructure, from the adverse effects of incompatible subdivision, use and development.*

These amendments are sought as the submitter considers ENG-03 to combine two separate matters which should be addressed separately for clarity. Kāinga Ora (FS58) and Horticulture New Zealand (FS55) opposes this request as it considers the proposed amendments to be overly restrictive. We reject this amendment as the current wording provides for the protection of energy activities in a clearer manner.

#### **ENG-04**

182. There were nine submitters<sup>82</sup> who submitted on ENG-04.

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<sup>82</sup> S190.041, S299.032, S451.024, S478.081, S486.016, S524.034, FS58.017, FS58.018,

183. Several submitters (S190, S299, S486, S524 & FS58) support ENG-O4 as notified. We acknowledge the support for ENG-O4 and we recommend ENG-O4 be retained as notified.

184. Buller Electricity Limited (S451), Frank and Jo Dooley (S478), Kāinga Ora (FS58) and New Zealand Energy Limited (FS127) seek to amend ENG-O4 to include 'incompatible' in relation to subdivision, use and development. In our opinion the inclusion of 'incompatible' limits the scope of the objective, solely to incompatible subdivision, use and development, where any subdivision, use and development should actively consider effects.

### **New Objective**

185. Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and New Zealand Energy Limited (FS127)<sup>83</sup> seek a new objective be provided to give effect to the RPS, as follows:

*Energy activities, including their operation, maintenance, upgrading or development, are protected from the adverse effects of incompatible subdivision and development.*

We consider this is appropriately provided for already by ENG-O3 which provides for the protection of energy activities from subdivision, use and development.

186. Westpower Limited (S547) and New Zealand Energy Limited (FS127)<sup>84</sup> seek a new objective be provided to give effect to the RPS as there is no objective for coordinating the provision and use of energy activities at the time of subdivision and development, as follows:

*To ensure the efficient provision and use of Energy Activities, including Critical Infrastructure, for communities by coordinating the provision of Energy Activities with the subdivision, use and development.*

We do not support this submission as we consider this is appropriately provided for by ENG-O3 which provides for the protection of energy activities from subdivision, use and development. Furthermore, co-ordination of infrastructure is provided for within the Subdivision Chapter provisions.

## **6.3.5 Key Issue 5: Energy Policies**

### **Overview**

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FS58.019, FS110.016, FS127.00111

<sup>83</sup> S451.023, S478.080, FS127.007

<sup>84</sup> S547.073, S547.075, FS127.055

Provision(s)	Officer Recommendation(s)
ENG-P1	Retain ENG-P1 as notified
ENG-P2	<p>Amend ENG-P2 as follows:</p> <p><del>When considering proposals to develop and operate new and existing</del>  <u>Manage adverse effects from the development of new or development, operation, maintenance or upgrading of existing</u> energy activities <u>and</u> have particular regard to the benefits <del>to be obtained from the proposal,</del> including;</p> <ul style="list-style-type: none"> <li>a. <del>Maintaining or increasing security of renewable electricity supply by diversifying the type and/or location of electricity generation;</del></li> <li>b. <u>Providing for diversity of the type and location of electricity generation;</u></li> <li>c. <del>Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</del></li> <li>d. <del>Economic, social, environmental or cultural wellbeing;</del></li> <li>e. <del>The contribution the proposal will have towards New Zealand meeting its renewable electricity generation targets;</del></li> <li>f. <del>Effective transmission and distribution of electricity supply;</del></li> <li>g. <del>Facilitation and use of renewable energy;</del></li> <li>h. <del>Security of electricity supply; and</del></li> <li>i. <del>Meeting New Zealand/Aotearoa me Te Waipounamu's climate change obligations.</del></li> </ul>
ENG-P3	<p>Amend ENG-P3 as follows:</p> <p><u>Manage adverse reverse sensitivity effects from</u> subdivision, use and development on energy activities <del>and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.</del></p>
ENG-P4	<p>Amend ENG-P4 as follows:</p> <p><del>Minimise</del> <u>Manage</u> adverse effects on communities and the environment from energy activities by:</p> <ul style="list-style-type: none"> <li>a. <del>Having regard to the values associated with areas identified as having significant environmental values, urban amenity, areas of high recreational value, outstanding and high natural character areas, outstanding landscapes and features, Poutini Ngāi Tahu and heritage sites, and significant natural areas;</del></li> <li>b. <del>Implementing industry best management practices around electrical safe distances;</del></li> <li>c. <del>Maintaining ongoing access to grid and distribution elements</del> <u>infrastructure</u> and structures for maintenance and upgrading works; and</li> </ul>



	d. <i>Avoiding exposure to health and safety risks.</i>
ENG-P5	<p>Amend ENG-P5 as follows:</p> <p><del>When considering proposals to develop, operate, maintain and upgrade new and</del> <u>Manage adverse effects from the development of new or operation, maintenance or upgrading of existing energy activities by:</u></p> <ol style="list-style-type: none"> <li>a. <del>Recognising their functional</del> <u>constrains</u> <u>needs</u> and operational <del>requirement</del><u>needs</u>;</li> <li>b. <del>Where new transmission infrastructure and major upgrades to transmission infrastructure are proposed have regard to the extent to which any adverse effects</del> <u>Having regard to the extent to which any adverse effects of significant electricity distribution lines</u> have been minimised in the route, site and method selection.</li> </ol>
ENG-P6	<p>Amend ENG-P6 as follows:</p> <p><i>Provide for the development, upgrading, maintenance and operation of:</i></p> <ol style="list-style-type: none"> <li>a. A range of <del>small, community and large scale</del> renewable electricity generation activities; and</li> <li>b. Activities that seek to investigate, identify and/or assess potential sites and energy sources for renewable electricity generation.</li> </ol>
ENG-P7	Retain ENG-P7 as notified
ENG-P8	<p>Amend ENG-P8 as follows:</p> <p><i>Manage the adverse effects of the National Grid by:</i></p> <ol style="list-style-type: none"> <li>a. <i>Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects</i></li> <li>b. <i>Seeking to avoid adverse effects on areas identified in Schedules <u>1 – 8</u>;</i></li> <li>c. <i>Where the National Grid has a functional or operational need to locate within the Coastal Environment, manage adverse effects by:</i> <ol style="list-style-type: none"> <li>i. <del>Seeking to avoid</del><u>ing</u> adverse effects on Overlay Chapter areas and where it is not practicable to avoid, to remedy or mitigate;</li> <li>ii. <del>Seeking to avoid</del><u>ing</u> significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</li> </ol> </li> <li>d. <i>Recognise that there may be some areas within the sites and areas identified in Schedules <u>1 – 8</u> where avoidance of adverse effects is required to protect the identified values and characteristics.</i></li> </ol>
ENG-P9	Amend ENG-P9 as follows:

	<p><i>Manage activities within the National Grid Yard and the National Grid Subdivision Corridor to:</i></p> <ul style="list-style-type: none"> <li><i>a. Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the National Grid is not compromised;</i></li> <li><i>b. Avoid incompatible land use;</i></li> <li><i>c. Manage subdivision to avoid subsequent land use activities from compromising the operation, maintenance, upgrading and development of the National Grid;</i></li> <li><i>d. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34: 2001) and avoid exposure to health and safety risks from the National Grid; and</i></li> <li><i>e. Avoid, <u>to the extent reasonably possible</u>, potential for reverse sensitivity effects on the National Grid.</i></li> </ul>
ENG – PXX	<p>Insertion of a new policy:</p> <p><u><i>Manage activities in and around Significant Electricity Distribution Lines to:</i></u></p> <ul style="list-style-type: none"> <li><u><i>a. Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the lines are not compromised by subdivision, use and/or development;</i></u></li> <li><u><i>b. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001) and avoid health and safety risks from Significant Electricity Distribution Lines; and</i></u></li> <li><u><i>c. Manage potential reverse sensitivity effects on Significant Electricity Distribution Lines.</i></u></li> </ul>

### **Analysis of Submissions on Key Issue 5 – Policies**

187. There were numerous submitters<sup>85</sup> who submitted on the Energy policies collectively. Several submitters (S538, S558, S560, S566, S567 & S574) support the Energy policies as notified. We acknowledge the support for the Energy policies as notified, however we have recommended amendments in response to submissions as outlined below.

#### **ENG-P1**

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<sup>85</sup> S438.045, S451.034, S478.091, S538.018, S547.080, S547.081, S547.082, S547.083, S547.439, S558.439, S560.440, S566.439, S567.049, FS58.021, FS127.056, FS127.057, FS127.058, FS127.059

188. There were nine submitters<sup>86</sup> who submitted on ENG-P1. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Transpower (S299) support ENG-P1 as notified. We acknowledge the support for ENG-P1 and we recommend ENG-P1 be retained as notified.

189. Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and New Zealand Energy Limited (FS127) seek to amend ENG-P1 to include 'enable', to give effect to Policy 5 of the NPS-ET. In our opinion, 'provide for' has comparable policy directive to 'enable' and both direct the same outcome; therefore, it is unnecessary in our opinion to provide further wording. In addition, 'provide for' is consistent with ENG-O1.

190. Westpower Limited (S560) seek to amend ENG-P1 as follows:

*Provide for the development, operation, maintenance and upgrading of existing and new ~~electricity transmission, distribution and renewable generation infrastructure and assets.~~ Energy Activities, including energy related aspects of Infrastructure and Critical Infrastructure.*

This amendment is sought to ensure that ENG-P1 includes all aspects of energy activities, particularly given the multiple terms and definitions that may apply to energy. We do not consider it is necessary to differentiate the specific energy activities in this case as the definition of 'energy activity' captures what is encompassed by energy activities. Further, we consider this would result in unnecessary wording that would create ambiguity.

191. Forest & Bird (S560) seek to amend ENG-P1 to include:

*...infrastructure and assets, while addressing adverse effects of these activities in accordance with the Natural Environment and District Wide chapters of this Plan.*

Transpower (FS110) and Westpower Limited (FS222) oppose the proposed amendment sought as all of the chapters of the pTTPP are to be read together (where relevant and applicable). We agree with Transpower and Westpower and do not agree with the requested amendment. Specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Energy chapter overview provides sufficient guidance regarding other chapters to be considered.

192. Manawa Energy (S438) seek to amend ENG-P1 as follows:

*~~Provide for~~ Enable the development, operation, maintenance and upgrading of existing and new electricity transmission, distribution and renewable electricity generation infrastructure ~~and assets~~; while recognising the positive*

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<sup>86</sup> S190.042, S299.033, S451.025, S478.082, S547.084, S560.112, S438.00144, FS34.054, FS110.017, FS127.013, FS127.060, FS230.0118

*social, economic, cultural and environmental benefits of renewable electricity generation and transmission.*

Manawa Energy seek this amendment on the basis that ENG-P1 mixes support for activities with management of effects, mixes energy activities, and does not include a reference to renewable electricity generation activities. Forest & Bird (S560) and Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) oppose the proposed amendment as it is considered to conflate new and existing renewable energy regeneration. Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu considered that 'enable' is not an appropriate term and recognition of positive effects of renewable energy needs to be balanced against the potential adverse effects. We do not support the amendment requested as 'provide for' in our opinion has comparable policy directive as 'enable' and are considered to both direct the same outcome. In addition, it is not considered appropriate to 'recognise the positive social, economic, cultural and environmental benefits of renewable electricity generation and transmission' because this policy direction would be inconsistent with section 7 of the RMA which requires 'particular regard' to be given to 'the benefits to be derived from the use and development of renewable energy' which in our opinion is appropriately addressed within the suite of policies..

**ENG-P2**

193. There were numerous submitters<sup>87</sup> who submitted on ENG-P2. Transpower (S299) and Toka Tū Ake EQC (S612) support ENG-P2 as notified. We acknowledge the support for ENG-P2 as notified, however we have recommended amendments in response to submissions as outlined below.

194. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) seek to amend ENG-P2 to provide a weighting of the benefits to assist users of the pTTPP on how to consider different benefits, particularly where there is conflict. We do not support this amendment and consider that there should not be weighting of benefits; all benefits should be considered and assessed where relevant in a holistic manner.

195. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek to amend ENG-P2 as follows:

*When considering proposals to develop and operate new and existing **energy***

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<sup>87</sup> S190.043, S299.034, S438.039, S443.015, S451.026, S462.028, S478.083, S547.085, S560.113, S560.448, S560.449, S560.450, S560.451, S612.007, FS110.018, FS127.014, FS127.042, FS127.047, FS230.0163

*renewable electricity generation, electricity transmission and distribution activities have particular regard to the benefits to be obtained from the proposal, including;*

*a. Maintaining or increasing security of renewable electricity supply by diversifying the type and/or location of [renewable](#) electricity generation;...*

This amendment is sought to provide clarity of the intent to provide for both new and existing activities. In our opinion it is unnecessary to specify 'renewable electricity generation, electricity transmission and distribution' as this is already captured in the definition of 'energy activity' Part 1 of the pTTPP. A hyperlink to this definition can be provided via the e-plan.

196. Suzanne Hills (S443) seeks to amend ENG-P2 to reflect the cumulative effect of multiple hydro-schemes as there is no consideration of cumulative effects of multiple small scale run-of-river hydro-schemes and the effect this would have on the West Coast's waterways. New Zealand Electricity Limited (FS127) oppose the proposed amendment as developments should be assessed on a case-by-case basis. In our opinion cumulative effects could be considered under the existing planning framework, specifically Part 2 of the RMA, as the existing environment is a relevant and imperative consideration. On this basis I do not consider a change is required.

197. Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) seek to amend ENG-P2 as follows and include 'or' after each clause:

*When considering proposals to develop and operate new and existing energy activities, ~~have particular regard to~~ [infrastructure assets provide for the benefits to be obtained from the proposal,...](#)*

This amendment is sought to be consistent with Policy 1 of the NPS-ET. Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) oppose the proposed amendment as the inclusion of 'or' suggests that only one of the criteria is required instead of a consideration of all. We do not support the amendment sought by submitters S451 and S478 for the reason provided by submitter FS41.

198. Inger Perkins (S462)<sup>88</sup> seeks to amend ENG-P2 to support micro-renewables and distributed energy generation, as this can support the community and provide resilience of supply (such as during a natural disaster when power lines are damaged). We do not consider that there is anything in ENG-P2 that discourages or prohibits micro-renewables and distributed energy generation, rather it allows for a range of benefits to be considered, including climate change obligations.

199. Westpower Limited (S547) seek to amend ENG-P2 as follows:

*When ~~considering proposals to develop and operate~~ [managing the](#)*

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<sup>88</sup> S462.030

*development and operation of new and existing energy activities have particular regard to the benefits to be obtained from the proposal, including;*

- a. Maintaining and/or increasing security of renewable electricity supply;  
~~and~~  
~~by diversifying the~~ Providing for a diversity of the type ~~and/or~~ location of renewable electricity generation;...*
- e. Effective transmission and distribution of electricity supply, including to consumer;...*

These amendments were sought for the following reasons:

- The wording of the first sentence indicates that all energy activities require resource consent;
- Consistency with Infrastructure chapter;
- Gives effect to Policy 1 of Chapter 6 of the RPS by separating (a) into two distinct requirements; and
- Importance of identifying supply to consumers.

We support in part the request to amend ENG-P2 to remove references to proposal and splitting of (a) to provide clarity for plan users, however, we do not support the amendment of (e) as it is already provided for in ENG-O2 and is therefore unnecessary. We agree that the intent of this policy is to manage adverse effects and have recommended amendment to the policy wording to support this.

200. Forest & Bird (S560) seek to amend ENG-P2 to include 'maintain, upgrade', remove '~~particular~~' and include an addition clause as follows:

Opportunities to reduce environmental impacts.

Transpower (FS110) oppose the proposed amendment as Policy 6 of the NPS-ET requires that substantial upgrades of the transmission network should be used as an opportunity to reduce existing adverse effects. We agree with Transpower and do not consider Forest & Bird (S560) have provided sufficient justification to support the change requested. However, for clarity, we consider it is appropriate to include 'maintain and upgrade' to address the existing activities.

### **ENG-P3**

201. There were numerous submitters<sup>89</sup> who submitted on ENG-P3. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) support ENG-P3 as notified. We acknowledge the support for ENG-P3 as notified, however we have

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<sup>89</sup> S190.044 S299.035, S438.040, S451.027, S478.084, S486.017, S524.035, S547.088, FS34.061, FS58.022, FS58.023, FS58.024, FS58.025, FS58.026, FS58.077, FS127.030, FS127.061

recommended amendments in response to submissions as outlined below.

202. Manawa Energy (S438)<sup>90</sup> seek to amend ENG-P3 as follows:

*~~Minimise~~ Avoid reverse sensitivity effects from incompatible subdivision, use and development on ~~energy~~ renewable electricity generation and electricity transmission and distribution activities ~~and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.~~*

While Manawa Energy support ENG-P3, they consider it could be worded in a more consistent manner aligned with the NPSREG. Kāinga Ora (FS58) opposes the replacement of 'minimise' with 'avoid' as they see it as overly restrictive. Kāinga Ora (FS58) supports the deletion of 'and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development'. New Zealand Energy Limited (FS127) support Manawa Energy's original submission for the reasons provided by Manawa Energy (S438).

We agree that the current policy wording is inconsistent with Policy 10 of the NPSET, however, we do not support the proposed wording provided in the relief sought. Policy 10 of the NPSET seeks, "*to the extent reasonably possible manage activities to avoid reverse sensitivity effects*"; therefore, we consider 'manage' to be more appropriate policy wording. We do not support the inclusion of 'incompatible' as it limits the scope of the policy, solely to incompatible subdivision, use and development, where any subdivision, use and development should actively consider effects. We accept the deletion of the last portion of the sentence sought as it is consistent with Policy 10 of the NPSET.

203. Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) oppose ENG-P3 and seek it be amended to give effect to Policy 10 in the NPSET as follows:

*~~Minimise~~ Avoid reverse sensitivity effects from subdivision, use and development on ~~energy activities and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.~~ electricity distribution and transmission assets, existing renewable electricity generation activities and associated infrastructure, and protect such infrastructure from adverse effects of activities on the operation, maintenance, upgrading or development of that infrastructure.*

Kāinga Ora (FS58) opposes the replacement of 'minimise' with 'avoid' as they see it as overly restrictive. We agree that the current policy wording is inconsistent with Policy 10 of the NPSET, however, we do not support the proposed wording provided in the relief sought. Policy 10 of the NPSET seeks, "*to the extent reasonably possible manage*

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<sup>90</sup> S438.040

*activities to avoid reverse sensitivity effects*"; therefore, we consider 'manage' to be more appropriate policy wording.

We consider it is unnecessary to specify 'electricity distribution and transmission assets, existing renewable electricity generation activities and associated infrastructure' as this is captured in the definition of 'energy activity' as defined in Part 1 of the pTTPP. A hyperlink to this definition can be provided via the e-plan.

204. Several submitters (S486, S524, FS34 and FS58) support ENG-P3 with amendment as follows:

*...energy activities and ~~protect energy activities from adverse effects to~~ ensure their ongoing operation, maintenance, upgrade or development is not compromised.*

The submitters sought this amendment as they consider the focus should be on ensuring energy activities are not compromised by adverse effects, rather than protected. Protection from adverse effects provides greater policy direction and therefore we do not support the amendment requested.

205. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-P3 be amended as follows:

*Protect energy activities, including energy aspects of infrastructure and critical infrastructure, from the ~~Minimise~~ reverse sensitivity effects arising from incompatible new subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading or development of energy activities and associated infrastructure. ~~on energy activities and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.~~*

The submitter sought this amendment as they consider it does not sufficiently give effect to the RPS. Kāinga Ora (FS58) opposes the replacement of '~~minimise~~' with 'protect' as they see it as overly restrictive. Kāinga Ora (FS58) supports the deletion of '~~and protect energy activities from adverse effects to ensure their ongoing operation, maintenance, upgrade or development.~~'. We do not support the amendment sought by submitter S547 as Policy 10 of the NPSET requires management of activities to avoid reserve sensitivity effects. We accept the deletion of the last portion of the sentence sought as it is consistent with Policy 10 of the NPSET.

206. Transpower (S299) seek ENG-P3 be amended to provide a definition of minimise. The submitter considers the interpretation of ENG-P3 would be assisted by defining the term as they are concerned with how it would be applied. As 'minimise' has been replaced with 'manage', this request is not considered applicable and therefore has been disregarded. It is noted that a definition of 'minimise' was proposed in the s42A Introduction and General Provisions report, it is considered that the



recommended definition 'minimise: means to reduce to the smallest amount reasonably practicable' provides appropriate scope and direction within ENG-P3.

#### **ENG-P4**

207. There were numerous submitters<sup>91</sup> who submitted on ENG-P4. HNZPT (S140), Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Kāinga Ora (S58) support ENG-P4 as notified as they consider it will minimise any actual or potential adverse effects between sensitive adjacent land uses. We acknowledge the support for ENG-P4 as notified, however we have recommended amendments in response to submissions as outlined below.

208. Forest & Bird (S650) seek ENG-P4 be deleted, as this policy purports to deal with adverse effects in a totally deficient way and effects must be managed in accordance with the RPS and other chapters in the pTTPP (i.e., ECO). We reject the deletion of ENG-P4 as other District Wide chapters must be complied with as detailed in the Overview section of the chapter. ENG-P4 is necessary to give effect to Policy 1 of the NPSET and is consistent with the RPS (Policy 5).

209. Manawa Energy (S451) and New Zealand Energy Limited (FS127) seek ENG-P4 be amended as follows:

*~~Minimise~~ Avoid, remedy or mitigate adverse effects on communities and the environment from ~~energy~~ renewable electricity generation and electricity transmission and distribution activities by:...*

This amendment was sought on the basis that there needs to be a clear reference to renewable electricity generation and that 'avoid, remedy or mitigate' is better understood than 'minimise'. Kāinga Ora (FS58) oppose this amendment as they consider that minimise implies that the mitigation hierarchy is applied, so does not consider that Manawa Energy's proposed amendments provide any additional clarity. We support in part the request, as we agree that 'minimise' is not the appropriate term as it is inconsistent with the Objective of the NPSET and the RPS. In our view, 'manage' is appropriate and aligns with the policy wording of the NPSET, including its objective which seeks to manage adverse environmental effects. In our opinion it is unnecessary to specify 'renewable electricity generation and electricity transmission and distribution' as this is captured in the definition of 'energy activity' as defined in Part 1 of the pTTPP. A hyperlink to this definition can be provided via the e-plan. We reject the amendment sought as protection from adverse effects provides greater policy direction.

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<sup>91</sup> S140.010, S190.045, S299.036, S438.042, S451.028, S478.085, S547.089, S547.090, S547.091, S560.114, S620.084, FS58.027, FS58.028, FS58.029, FS58.030, FS58.031, FS58.032, FS58.083, FS127.031, FS127.062, FS127.063, FS127.064

210. Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and Westpower Limited (S547) seek ENG-P4 be amended to replace 'minimise' with 'manage'.

The submitters sought this amendment for the following reasons:

- The subsequent clauses (a – d) seek a number of outcomes that are management approaches;
- The term implies adverse effects must be made 'minimal' and this outcome may not always be possible; and
- The NPSET does not require effects to be minimised in all circumstances, rather refers to effects being 'managed' in the objectives and 'avoided, remedied or mitigated' in Policies 3 and 4.

Kāinga Ora (FS58) oppose this amendment as they consider that minimise implies that the mitigation hierarchy is applied, so does not consider that the proposed amendments provide any additional clarity. In our view, 'manage' is appropriate and aligns with the policy wording of the NPSET, including its objective which seeks to manage adverse environmental effects.

211. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-P4 be amended as follows:

*~~Minimise~~ Manage adverse effects on ~~communities and~~ the environment from energy activities by:*

- Having regard to the values associated with areas identified as having significant environmental values, ~~urban amenity, areas of high recreational value,~~ outstanding and high natural character areas, outstanding landscapes and features, Poutini Ngāi Tahu and heritage sites, and significant natural areas;*
- Implementing industry best management practices around electrical safe distances;*
- Maintaining ongoing access to grid and distribution ~~elements and structures~~ infrastructure and assets for operation, maintenance and upgrading works; and*
- Avoiding exposure to health and safety risks.*

The submitter sought this amendment for the following reasons:

- Clause (a) is directed at the overlay chapters but appears to have wording related to zone provisions (i.e., Urban Amenity, Recreational Area) which the pTTPP specifically advises the Energy chapter is not subject to; and
- Clause (c) should provide for related infrastructure and assets, and their operation.

Kāinga Ora (FS58) oppose this amendment as they consider that minimise implies that the mitigation hierarchy is applied, so the proposed amendments provide any additional clarity. Further, the pTTPP should be read as a whole and clauses (a) – (d)

provides direction on how the effects of energy activities should be minimised. In our opinion energy activities have significant potential to adversely impact urban amenity and should be a consideration. We do not support the removal of 'communities' as in our opinion this is inconsistent with the pTTPP language and the RMA provides for communities and the environment in relation to the management of adverse effects. The replacement of 'structures' with 'assets' is an ownership term which in our opinion is not appropriate in this context, however, we support the replacement of 'elements' for 'infrastructure' and the inclusion of 'operation'. In our view, 'manage' is appropriate and aligns with the policy wording of the NPSET, including its objective which seeks to manage adverse environmental effects.

212. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek ENG-P4 be amended as follows:

- a. *Having regard to the values associated with areas identified as having significant environmental values, urban amenity, areas of high recreational value, outstanding and high natural character areas, outstanding landscapes and features, Poutini Ngāi Tahu [sites, area and cultural landscapes](#), and heritage sites, and significant natural areas;*

We are unclear as to the justification from Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio as to why this amendment was sought and no evidence was provided in the submission to support this relief. On this basis, we do not support the requested amendment.

#### **ENG-P5**

213. There were seven submitters<sup>92</sup> who submitted on ENG-P5. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support ENG-P5 as notified.

214. Forest & Bird (S560) seek ENG-P5 be amended as follows:

- a. *Recognise ~~their functional constraints and operational requirements that natural character, outstanding and significant natural values are to be protected and that adverse effects on the environment are to be avoided, remedies or mitigated in accordance with the Natural Environment and District Wide chapters of this Plan;~~*

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<sup>92</sup> S190.046, S299.037, S438.043, S451.029, S478.086, S547.092, S547.093, S560.115, S560.453, S560.454, S560.455, FS127.043, FS127.065, FS222.0235, FS222.0236, FS222.0237, FS222.0237,

In addition, the submitter sought that the definition of energy activities be limited as it is not clear what the functional constraints or operational requirements for energy activities would be that should require specific consideration. Westpower Limited (FS222) oppose the amendment sought as it seeks to remove recognition of constraints and requirements of energy activities. We do not agree with the balance of the amendments sought by Forest and Bird, as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Energy chapter overview provides sufficient guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific objectives and policies. The definition of 'energy activity' has been addressed in Section 6.2.2 of this report.

215. Transpower (S299) seek ENG-P5 be amended as follows:

- b. Where new ~~transmission—infrastructure~~ significant electricity distribution lines and major upgrades to ~~transmission—infrastructure~~ significant electricity distribution lines are proposed have regard to the extent to which any adverse effects have been minimised in the route, site and method selection.*

The submitter sought this amendment as the current wording appears that clause (b) would apply to the National Grid, which is specifically provided for in ENG-P7. Transpower seeks either the deletion or modification of clause (b) to avoid unnecessary policy duplication. Westpower Limited (FS222) opposes in part the amendments proposed as it could result in multiple policies applying to the same matter in various scenarios and this submitter seeks to ensure any amendments do not have consequential impacts on the ability to carry out activities which are greater than the plan. We support the replacement of 'transmission infrastructure' with 'significant electricity distribution lines' as it is consistent with Policy 5 of the NPSET.

216. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-P5 be amended as follows:

*When ~~considering proposals to develop, operate, maintain and upgrade~~ managing the development, operation, maintenance and upgrading of new and existing energy activities:*

- a. ~~Recognise their functional constraints and operational requirements~~ Have particular regard to function, location, technical and operation constraints and requirements of the related activities and infrastructure; and*

The submitter considers the current policy wording could be perceived to indicate all energy activities require resource consent and it is noted that the equivalent policy of the Infrastructure chapter refers to management. We note that clause (a) is considered to require rewording to give effect to Chapter 3, Policy 6 of the RPS, to provide

consistency of wording and interpretation. We support the amendment of ENG-P5 for the reasons provided by the submitters. In our view, 'manage' is appropriate and aligns with the policy wording of the NPSET, including its objective which seeks to manage adverse environmental effects.

217. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek ENG-P5 be amended as follows:

*When considering proposals to develop, operate, maintain and upgrade new and existing ~~energy~~ renewable electricity generation activities:*

- a. Recognise their functional ~~constraints~~ needs and operational ~~requirements~~ needs; and*

The submitter sought this amendment to ensure consistency through the pTTPP in the use of defined terms and in referencing renewable electricity rather than energy generally. We do not support this amendment as we consider it is unnecessary to specify 'renewable electricity generation' as this is captured in the definition of 'energy activity' as defined in Part 1 of the pTTPP. A hyperlink to this definition can be provided via the e-plan. We support the replacement of wording with 'needs' as this is consistent with the National Planning Standards, specifically 'functional need' and 'operational need' as provided for in the Definitions List.

218. Buller Electricity Limited and Frank and Jo Dooley seek ENG-P5 be amended to give effect to the RPS, as follows:

*When considering proposals to develop, operate, maintain and upgrade new and existing ~~energy~~ renewable electricity generation activities:*

- a. ~~Recognise~~ Have particular regard to the constraints imposed by their functional constraints and operational requirements; and*
- b. Where new transmission infrastructure and major upgrades to transmission infrastructure are proposed have regard to the extent to which any adverse effects have been ~~minimised~~ managed in the route, site and method selection.*

In our opinion 'have particular regard to' has comparable policy directive as 'recognise' and are considered to both direct the same outcome; therefore, in our opinion it is unnecessary to provide further wording.

## **ENG-P6**

219. There were eight submitters<sup>93</sup> who submitted on ENG-P6. Several submitters (S190, S299, S438, S478, S547, S560 & FS127) support ENG-P6 as notified. We acknowledge the support for ENG-P6 as notified, however we have recommended

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<sup>93</sup> S190.047, S299.038, S438.044, S451.030, S478.087, S547.094, S560.166, S560.443, FS110.009, FS127.032, FS127.066

amendments in response to submissions as outlined below.

220. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek ENG-P6 be amended to remove '~~small, community and large scale~~', as there is no distinction made between the varying scales. We agree that it is unnecessary additional wording that does not change the intent of the policy.

221. Forest & Bird (S560) seek ENG-P6 be amended as follows:

- b. Activities that seek to investigate, identify and/or assess potential sites and energy sources for renewable electricity generation, where the adverse effects are avoided, remedied or mitigated in accordance with the Natural Environment and District Wide chapters of this Plan.*

The submitter sought this amendment to direct how adverse effects must be managed. Transpower (FS110) oppose this submission as protection is afforded to those natural values of national importance or recognised in a higher order policy instrument. We consider specifying particular chapters of the pTTPP limits and restricts the policy consideration, while the pTTPP should be read in full. Further, the Energy chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific objectives and policies.

### **ENG-P7**

222. There were five submitters<sup>94</sup> who submitted on ENG-P7. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190), Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) support ENG-P7 as notified. We acknowledge the support for ENG-P7 and we recommend ENG-P7 be retained as notified.

223. Transpower (S299) seek ENG-P7 be amended to be more consistent with the NPS-ET and RPS as follows:

- ii. The extent to which proposals for new National Grid Infrastructure or major upgrades to existing National Grid Infrastructure have avoided, remedied and mitigated effects through the route, site and method selection.*

Forest & Bird (F34) oppose this submission as the extent to which proposals avoid, remedy or mitigate effects needs to be in accordance with how effects are to be managed in the Natural Environment and District Wide chapters, particularly where major upgrades or new national grid infrastructure is proposed. We do not support this amendment and consider it is unnecessary wording, as these activities are already captured by ENG-P7.

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<sup>94</sup> S190.048, S299.039, S451.031, S478.088, S560.117, S560.452, FS34.028

224. Forest & Bird (S560) seek the deletion of ENG-P7 or amendment to include 'avoid, remedy and mitigate in accordance with the Natural Environment and District Wide chapters of this Plan'. We do not support the relief sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Energy chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific objectives and policies.

### **ENG-P8**

225. There were numerous submitters<sup>95</sup> who submitted on ENG-P8. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190), Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) support ENG-P8 as notified. We acknowledge the support for ENG-P8 as notified, however we have recommended amendments in response to submissions as outlined below.

226. Transpower (S299) seek ENG-P8 be amended as follows:

- b. Seeking to avoid adverse effects on areas identified in Schedules [1 – 8](#);*
- c. Where the National Grid has a functional or operational need to locate within the Coastal Environment, manage adverse effects by:
  - i. Seeking to avoid adverse effects on ~~Overlay Chapter~~ areas [identified in Schedules 1 – 8](#) and where it is not practicable to avoid, to remedy or mitigate;*
  - ii. [Where it is not practicable to avoid adverse effects on the values of the areas identified in Schedules 1 – 8 because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values;](#)*
  - iii. Seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and**
- d. Recognise that there may be some areas within the sites and areas identified in Schedules [1 – 8](#) where avoidance of adverse effects is required to protect the identified values and characteristics; [and](#)*
- e. [Remedy or mitigate any adverse effects from the operation,](#)*

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<sup>95</sup> S190.049, S299.040, S451.032, S478.089, S560.118, S560.456, S560.457, S560.458, S560.459, S560.460, S620.085, FS34.029, FS34.030, S602.034, FS110.019, FS122.013, FS41.40, FS149.097, FS230.069

*maintenance, upgrade, major upgrade or development of the National Grid which cannot be avoided, to the extent practicable. In the event of any conflict with any other objectives and policies within the Plan, ENG-P8 takes precedence.*

The submitter sought the above amendments to provide for the avoidance approach, ensure clarity in relation to which Schedules are relevant, and alignment with the directive of the NESETA (reference to coastal environment). Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) also sought the amendment to provide the reference to Schedules 1 – 8. Te Runanga o Ngāti Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) oppose the reference to other objectives and policies in the pTTPP as provisions need to apply equally and do not exist in isolation. Forest & Bird (FS34) oppose the amendment sought by Transpower as it is contrary to Forest & Bird original submission and is inconsistent with the NZCPS and RPS. We accept the reference to the Schedules to provide clarity. We do not support the amendment to include (ii) and (e) as this is contrary to the NZCPS. Further, the inclusion of (e) would result in Transpower not having to comply with other District Wide policy.

227. Forest & Bird (S560) and DoC (FS122) seek clarification of what 'substantial', 'major upgrades', 'substantial upgrades', 'minor upgrade' and 'upgrade' means and ENG-P8 to be amended as follows:

- ii. ~~Seeking to a~~Avoid significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010;
- iii. Avoidance of adverse effects on Policy 11(a) of the NZCPS 2010; and
- d. Recognise that there may be some ~~areas within the sites and areas identified in Schedules~~ attributes, character and biodiversity values where avoidance of adverse effects is required to protect the identified values and characteristics.

The submitter sought this amendment to provide clarity in relation to the terminology included in ENG-P8, and to give effect to Policy 11 of the NZCPS and NPSET. Further, it is considered to make ENG-P8 more directive, reduce ambiguity and give effect to the NZCPS. We generally reject the amendments sought as the District Wide chapters of the pTTPP, including Coastal Environment and Natural Features and Landscapes, provide policy to address this and give effect to the NZCPS; therefore, it is considered to create a duplication. We support the amendment to remove 'seeking to' as it is unnecessary wording.



228. DoC (S602) and BDC (FS149) seek ENG-P8 be amended as follows:
- b. Seeking to avoid adverse effects on areas and values identified in Schedules, SNAs, and Overlay Areas and applying the effects management hierarchy where adverse effects cannot be avoided;*
  - c. Where the National Grid has a functional need or operational need to locate within the Coastal Environment, manage adverse effects by:*

The submitter sought this amendment to align with the functional need definition of the pTTPP, apply the effects management hierarchy where adverse effects on scheduled or overlay items cannot be avoided, and removes duplication. Transpower (FS110) oppose in part the amendment sought as 'overlay areas' is not defined in the pTTPP and therefore it is unclear which areas and features the effects management hierarchy would apply to. We generally reject the amendments sought as the District Wide chapters of the pTTPP, including Coastal Environment and Natural Features and Landscapes, provide policy to address this and give effect to the NZCPS; therefore, it is considered to create a duplication. We support the amendment to remove 'seeking to' as it is unnecessary wording.

### **ENG-P9**

229. There were six submitters<sup>96</sup> who submitted on ENG-P9. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190), Buller Electricity Limited (S451), Frank and Jo Dooley (S478), and Horticulture New Zealand (FS55) support ENG-P9 as notified. We acknowledge the support for ENG-P9 as notified, however we have recommended amendments in response to submissions as outlined below.

230. Transpower (S299) seek ENG-P9 be amended as follows:
- b. Avoid ~~incompatible~~ land use, buildings and structures that may directly affect or otherwise compromise the National Grid or result in reverse sensitivity effects on the National Grid;*
  - c. Manage subdivision within the National Grid Subdivision Corridor to avoid subsequent land use activities...  
Maintain ongoing access for maintenance and upgrading works on the National Grid; and*

The submitter sought this amendment to make it clear what is meant by 'incompatible land use' in terms of outlining the effects which are to be avoided, and ensure that clause (c) only applies within the National Grid Subdivision Corridor. We reject the

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<sup>96</sup> S190.050, S299.04, S451.033, S478.090, S486.018, S524.036, FS55.17, FS110.020, FS110.021

amendment sought as it is inconsistent with the NPSET which does not specifically reference the National Grid Subdivision Corridor.

231. Horticulture New Zealand (S486) and Federated Farmers of New Zealand (S524) seek ENG-P9 be amended to ensure consistency with Policy 10 of the NPSET as follows:

*Avoid, to the extent reasonably possible, potential for reverse sensitivity effects on the National Grid.*

The submitters sought this amendment to be consistent with Policy 10 of the NPSET. Transpower (FS110) opposes this submission request for the following reasons:

- Policy 10 of the NPSET recognises new activities alongside nationally significant infrastructure can create conflicts and compromise the ability of the infrastructure to be operated, maintained and upgraded for the benefit of the district, region and country as a whole;
- The inclusion of 'to the extent reasonably possible' sets a high bar and reduces the discretion that might appear to be available to the decision maker;
- Transpower does not envisage circumstances in which it is not possible to manage activities, therefore the additional wording is unnecessary; and
- The NPSET is intended to be read as a whole.

We support the amendment requested by Horticulture New Zealand and Federated Farmers as in our opinion it is consistent with Policy 10 of the NPSET which provides for 'to the extent reasonably possible'.

### **New Policies**

232. There were five submitters who sought amendments to the Energy chapter to include new policy direction.

233. Manawa Energy (S438)<sup>97</sup> seeks a new policy that addresses the establishment of non-renewable energy activities and discourages it, as the current wording encompasses non-renewable energy activities within the definition of 'energy activity' which does not align with international and national directive to discourage non-renewable energy activities.

*Avoid the development of non-renewable electricity generation activities on the West Coast and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels in electricity generation.*

Westpower Limited (FS222) supports Manawa Energy's submission to enable renewable electricity generation, however, considers the scope of the amendment to

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<sup>97</sup> S438.033

be fundamental to the pTTPP. New Zealand Energy Limited (FS127)<sup>98</sup> oppose this submission on the grounds that there will always be a need for non-renewable energy sources. We do not support the insertion of the proposed policy as in our opinion the notified energy provisions will appropriately manage effects to the point that non-renewable energy that results in adverse effects would not be enabled.

234. Buller Electricity Limited (S451) and New Zealand Electricity Limited (FS127)<sup>99</sup> seek an additional policy be included as follows:

*Avoid, radio, electric and magnetic fields that do not meet the applicable New Zealand or international standards or guidelines, or National Environmental Standards.*

We reject this addition as sufficient rationale has not been provided by Buller Electrical Limited to support this request and in our opinion, ENG-P4 appropriately manages effects.

235. Westpower Limited (S547)<sup>100</sup> seek additional policies be included as follows:

*Manage activities in and around Significant Electricity Distribution Lines to:*

- a. Ensure the safe and efficient operation, maintenance, repair, upgrading and development of the lines are not compromised by subdivision, use and/or development;*
- b. Avoid incompatible land use;*
- c. Achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001) and avoid health and safety risks from distribution lines; and*
- d. Avoid potential reverse sensitivity effects on distribution lines.*

*Ensure that subdivision and development is adequately serviced including:*

- a. Supply of electricity using a method that is appropriate to the type of subdivision and/or development, including consideration of alternative methods on a case by case basis, and*
- b. Where new energy infrastructure is developed and/or installed, that there is adequate provision for ongoing access, operation and maintenance, including through granting and reserving easements.*

*Provide flexibility for energy activities, including energy aspects of infrastructure and critical infrastructure, to adopt new technologies that:*

- a. Improve access to, and efficient use of, networks and services;*
- b. Allow for the re-use of redundant services and structures where they are safe*

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<sup>98</sup> FS127.026

<sup>99</sup> FS127.012

<sup>100</sup> S547.080, S547.081, S547.082, S547.083

*and operating to required standards;*

c. *Increase resilience, safety or reliability of networks and services;*

d. *Result in environmental benefits and/or enhancements; or*

e. *Promote environmentally sustainable outcomes including green infrastructure and the increased utilization of renewable resources.*

The submitter sought the inclusion of these new policies to ensure there is provision for significant electricity distribution lines, inclusion of relevant policies, and adoption of new technologies respectively.

We support the insertion of the first proposed policy, subject to minor amendments, as Significant Electricity Distribution is currently not specifically provided for. ENG-P1 to ENG-P4 apply to electricity transmission and ENG-P7 is limited to the National Grid. We consider 'avoid' is too onerous, therefore, this has been replaced with 'manage'. We do not support the insertion of the second proposed policy, relating to subdivision, as this is already addressed by SUB-P2. We do not support the insertion of the third proposed policy, as it is considered this is appropriately addressed by ENG-P6.

### 6.3.6 Key Issue 6: Energy Standards

#### Overview

Provision(s)	Officer Recommendation(s)
ENG-R1	Amend heading as follows:  <i>'Energy <del>Permitted</del> Activity Performance Standards'</i>
ENG-R2	Amend ENG-R2 as follows:  <i>Where:</i>  <i>(1) All performance standards in Rule ENG - R1 are complied with; and (2) This is the operation, maintenance, repair and upgrade of an existing substation (zone) where any new works and/or upgrades are undertaken within existing switchyards or buildings, in any zone; or (3) This is a new substation (zone) <del>or upgrade to an existing substation (zone):</del> i. Located in an Industrial zone; and ii. The substation will be visually screened from the road and any <u>existing residential building located outside the Industrial Zones</u> by fencing and / or landscaping</i>

ENG-R3	Retain ENG-R3 as notified
ENG-R4	<p>Amend ENG-R4 as follows:</p> <p><del>Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations</del> <u>The construction, operation, maintenance and minor upgrading of distribution lines and transmission lines</u> not managed by the National Environmental Standard for Electricity Transmission Activities</p> <p>(4) The diameter or width of the replacement pole <u>structures at its widest point</u> does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point;</p>
ENG-R5	<p>Amend ENG-R5 as follows:</p> <p><del>The construction, operation, maintenance, repair and upgrade of renewable energy structures for small scale use</del> <u>small -scale distributed electricity generation</u></p> <p>Where:</p> <p>(1) Performance standards in Rule ENG - R1 are complied with;</p> <p>(2) Solar panels do not exceed the permitted height in the relevant zone by more than 0.25m vertically;</p> <p>(3) <del>Small scale</del> wind turbines do not exceed 8m in height;</p> <p>(4) <del>Small scale</del> wind turbines comply with NZS 6808:2010 Acoustics - Wind Farm Noise;</p> <p>(5) Land based structure, building or impermeable surface for hydroelectricity generation must not exceed a footprint of 25m<sup>2</sup>; and</p> <p>(6) Any building or structure must not be located within an existing esplanade reserve or strip.</p>
ENG-R6	<p>Amend ENG-R6 as follows:</p> <p><i>Activities in and around the Significant Electricity Distribution Lines</i></p> <p>Where:</p> <p>(1) Performance standards in Rule ENG - R1 are complied with;</p>

	<p><del>(2) These are Energy Activities;</del></p> <p>(3) The following other activities are able to occur under the conductors where these are Permitted within the relevant zone and overlay:</p> <ul style="list-style-type: none"> <li>i. Fences less than 2.5m high;</li> <li>ii. Alterations and additions to existing buildings and structures used for sensitive activities that do not involve an increase in the building envelope;</li> <li>iii. Network Utilities within a transport corridor or any part of electricity infrastructure;</li> <li>iv. Structures used for agricultural and horticultural activities excluding buildings for sensitive activities;</li> </ul> <p>(4) The only buildings or structures erected within 12m of any support structure are:</p> <ul style="list-style-type: none"> <li>i. Network Utilities within a transport corridor; or</li> <li>ii. Any part of electricity infrastructure;</li> <li>iii. Fences more than 5m from the support structure and less than 2.5m in height; and</li> </ul> <p>(5) Structures and activities located near <del>transmission</del> <u>distribution</u> lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p> <p>Activity status where compliance not achieved: <del>Non-complying</del> <u>Discretionary</u></p>
ENG-R7	<p>Amend ENG-R7 as follows:</p> <p>Where:</p> <p>(1) These are the following activities where they are also Permitted within the relevant zone and overlay:</p> <ul style="list-style-type: none"> <li>i. Fences less than 2.5m high;</li> <li>ii. Alterations and additions to existing buildings and structures used for sensitive activities that do not involve an increase in the building or structure height or footprint;</li> <li>iii. Infrastructure undertaken by a Network Utility Operator within a transport corridor or any part of electricity infrastructure that connects the National</li> </ul>

	<p><i>Grid;</i></p> <ul style="list-style-type: none"> <li>iv. <del>Non-habitable farm or horticultural buildings or structures excluding commercial greenhouses, protective canopies, wintering barns, produce packing facilities, dairy and milking sheds</del> <u>The activity is not a sensitive activity;</u></li> <li>v. An accessory building or structure associated with an existing residential activity that is less than 10m<sup>2</sup> and 2.5m in height;</li> </ul> <p>(2) All buildings, structures and activities permitted by 1. above must have:</p> <ul style="list-style-type: none"> <li>i. A minimum vertical clearance of at least 10m below the lowest point of a conductor - or meet the electrical distances required by NZECP 34: 2001 under all transmission line and building operation conditions;</li> <li>ii. Not result in the loss of vehicle access to a National Grid support structure;</li> <li>iii. Be located <del>at least 12 metres from the outer visible edge of a foundation of a National Grid transmission support structure</del> <u>National Grid Yard</u> except where it is: <ul style="list-style-type: none"> <li>a. Infrastructure undertaken by a network utility operator, or any part of electricity infrastructure that connects the National Grid;</li> <li>b. A fence not exceeding 2.5m in height that is located at least: <ul style="list-style-type: none"> <li>I. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</li> <li>II. 5m from the outer visible edge of a foundation of a National Grid transmission line pole;</li> </ul> </li> <li>c. An artificial crop protection structure or crop support structure not exceeding 2.5m in height and located at least 8m from a National Grid transmission line pole that: <ul style="list-style-type: none"> <li>I. Is removable or temporary to allow a clear working space of 12m from the pole for maintenance; and</li> <li>II. Allows all weather access to the pole and sufficient area for maintenance equipment</li> </ul> </li> </ul> </li> </ul>
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	<p style="text-align: center;"><i>including a crane; or</i></p> <p style="text-align: center;"><i>d. A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34: 2001.</i></p> <p><i>Activity status where compliance not achieved: <del>—Non-complying</del></i> <i><u>Discretionary</u></i></p>
ENG-R8	<p>Amend ENG-R8 as follows:</p> <p><i>Where:</i></p> <p style="padding-left: 40px;"><i>(1) All performance standards in Rule ENG - R1 are complied with;</i> <i>and</i> <i>(2) The cabinet has a maximum height above ground level of 2m</i> <i><u>and a maximum area of 1.4m<sup>2</sup>.</u></i></p>
ENG-R9	<p>Amend ENG-R9 as follows:</p> <p style="padding-left: 40px;"><i>(3) Any temporary structures are removed from the site <del>when operation ceases and the sites is rehabilitated</del> <u>and the site is rehabilitated within one month of the operation ceasing.</u></i></p>
ENG-R10	Retain ENG-R10 as notified
ENG-RXX (Permitted Activity)	<p>Insertion of a new Permitted Activity rule:</p> <p><i><u>ENG-RX: Operation, Maintenance, Repairs and Installation of Below Ground Energy Activities</u></i></p> <p><i><u>Activity Status Permitted</u></i></p>
ENG-RXX (Permitted Activity)	<p>Insertion of a new Permitted Activity rule:</p> <p><i><u>Maintenance, repair, operation and minor upgrading of existing renewable electricity generation activities</u></i></p> <p><i><u>Where:</u></i></p> <p style="padding-left: 40px;"><i><u>(1) All performance standards in Rule ENG - R1 are complied with.</u></i></p>
ENG-RXX (Permitted Activity)	<p>Insertion of a new Permitted Activity rule:</p> <p><i><u>ENG-RX: The construction, operation, maintenance and upgrade of community and large scale energy activities excluding wind</u></i></p> <p><i><u>Activity status Permitted</u></i></p>



	<p><u>Where:</u></p> <p>(1) <u>Performance standards in Rule ENG-R1 and GIZ-R1 are complied with;</u></p> <p>(2) <u>The activity is located within the General Industrial Zone; and</u></p> <p>(3) <u>All buildings and generating structures comply with building coverage, height and setback requirements for the zone; and</u></p> <p>(4) <u>Buildings and generating structures are screened by fencing and/or landscaping (including earth bunds) along any road frontage and the side boundary of a site that adjoins a RESZ-Residential, SETZ-Settlement, OSZ-Open Space or MUZ-Mixed Use zone.</u></p> <p><u>Activity status where compliance is not achieved: Discretionary</u></p>
<p>ENG-RXX (Permitted Activity)</p>	<p>Insertion of INF-R8 from the Infrastructure chapter as follows:</p> <p><u>New Lines, Telecommunication Poles or Towers</u></p> <p><u>Activity Status Permitted</u></p> <p><u>Where:</u></p> <p>(1) <u>The connection does not include a new tower;</u></p> <p>(2) <u>The connection does not exceed three additional poles; and</u></p> <p>(3) <u>The diameter of conductors, lines or cables does not exceed 30mm.</u></p> <p><u>Advice Note: Where the connection is to a heritage item identified in Schedule One resource consent is also required under Rule HH - R5</u></p> <p><u>Activity status where compliance not achieved:</u></p> <p><u>Discretionary</u></p>
<p>ENG-R11</p>	<p>Amend ENG-R11 as follows:</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li>a. <i>Landscape measures;</i></li> <li>b. <i>Locational, technical, <u>functional</u> and operational constraints;</i></li> <li>c. <i>Impacts on resilience of the community to natural hazards and climate change;</i></li> <li>d. <i>The benefits of the proposal to Aotearoa New Zealand meeting its Greenhouse Gas targets;</i></li> <li>e. <i>Impacts of contamination from the substation on any overlay;</i></li> </ul>

	<p><i>f. Benefits to the community from the substation; and</i></p> <p><i>g. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters.'</i></p>
ENG-R12	<p>Amend the heading of ENG-R12 as follows:</p> <p><del><i>Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not meeting Permitted Activity standards</i></del> <u><i>Operation, Maintenance, Repairs or Removal of Existing Above Ground Energy Activities not meeting Permitted Activity Standards</i></u></p>
ENG-R13	<p>Amend ENG-R13 as follows:</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Locational, technical, <u>functional</u> and operational constraints;</i></li> <li><i>b. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters; and</i></li> <li><i>c. Benefits to the community.</i></li> </ul>
ENG-R14	<p>Amend ENG-R14 as follows:</p> <p><i>The construction, operation, maintenance and upgrade of community scale renewable electricity generation structures, <del>renewable energy investigation activity</del> and temporary energy activities not meeting Permitted Activity standards</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Impacts on resilience of the community to natural hazards and climate change;</i></li> <li><i>b. The benefits of the proposal to Aotearoa New Zealand meeting its Climate Change and Greenhouse Gas targets;</i></li> <li><i>c. Benefits to the community;</i></li> <li><i>d. Functional, <u>locational, technical</u> and operational constraints;</i></li> <li><i>e. Landscape measures; and</i></li> <li><i>f. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters.</i></li> </ul>
ENG-R15	<p>Amend the heading of ENG-R15 as follows:</p> <p><i>Large scale renewable electricity generation activity excluding wind <u>not</u></i></p>

	<a href="#"><i>meeting Permitted Activity standards</i></a>
ENG-R16	Retain ENG-R16 as notified
ENG-R17	Retain ENG-R17 as notified
ENG-R18	Retain ENG-R18 as notified
ENG-R19	Amend the activity status of ENG-R19 from Non-Complying Activity to Discretionary Activity
ENG-R20	Retain ENG-R20 as notified
ENG-RXX (Discretionary Activity)	Insertion of a new Non-Complying Activity rule:  <a href="#"><i>ENG-RX: Any energy activity which is not a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.</i></a>  <a href="#"><i>Activity Status Non-Complying Activity</i></a>  <a href="#"><i>Activity status where compliance is not achieved: N/A</i></a>
INF-RXX (Discretionary Activity)	Insertion of a new Non-Complying Activity rule:  <a href="#"><i>INF-RX: Any activity which is not a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.</i></a>  <a href="#"><i>Activity Status Non-Complying Activity</i></a>  <a href="#"><i>Activity status where compliance is not achieved: N/A</i></a>
TRN-RXX (Discretionary Activity)	Insertion of a new Non-Complying Activity rule:  <a href="#"><i>TRN-RX: Any activity which is not a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.</i></a>  <a href="#"><i>Activity Status Non-Complying Activity</i></a>  <a href="#"><i>Activity status where compliance is not achieved: N/A</i></a>

### **Analysis of Submissions on Key Issue 6: Energy Standards**

236. There were numerous submitters<sup>101</sup> who submitted on the Energy standards collectively. Westpower Limited (S547) support the 'Notes' section as notified. This

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<sup>101</sup> S299.042, S229.051, S408.001, S438.046, S438.057, S451.035, S462.030, S538.023, S538.024, S547.095, S547.096, S547.097, S547.098, S547.450, S558.040, S558.450, S566.450, S567.050, FS127.033, FS127.034, FS127.045, FS127.067, FS127.068, FS127.088 FS222.049

support is noted.

237. Westpower Limited (S547) seek the Energy chapter be reformatted to include all relevant rules from throughout the pTTPP to enable a more efficient assessment of compliance and ease of interpretation. We do not support this relief sought, the structure of the pTTPP has been established in accordance with the National Planning Standards.
238. Several submitters (S558, S566, S567, S574 and S451) seek clarification that underground electricity transmission lines are a Permitted Activity, as it is unclear in the pTTPP. We agree that ENG-R6 and ENG-R7 do not specifically provide for underground electricity transmission lines as a Permitted Activity; therefore, we recommend an additional standard be provided to address this.
239. Buller Conservation Group (S552)<sup>102</sup> submitted to change an activity to Discretionary due to concern that the pTTPP is making it too permissive for such telecommunications infrastructure, however, no specific standard was referenced. New Zealand Energy Limited oppose this submission as it is too broad. We do not support the relief sought by Buller Conservation Group as there is no specific reference to which standard they are requesting to change the activity status of.
240. Forest & Bird (S560) seek that ENG-R3, ENG-R4, ENG-R5, ENG-R6, ENG-R10, ENG-R15 and ENG-R16 are amended to include a requirement to meet the permitted vegetation clearance standards in the ECO chapter. This is sought to ensure standards to limit vegetation clearance and protect any significant values identified in accordance with the criteria in the RPS. Westpower Limited (FS222) oppose this submission as it seeks to duplicate relevant matters. We reject the amendments sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Energy chapter overview in our opinion provides sufficient guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.
241. Forest & Bird (S560) also seek that ENG-R4 is amended to support their request for definitions of 'minor upgrading', 'upgrading' and 'substantial updating', the following amendment of clause (2) of ENG-R4 is sought:
- (2) Any realignment, relocation or replacement of a network utility pole, pipe, tower, and structure, ~~building or minor utility structure~~ is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility structure;*
- This relief is not supported, as definitions requested have not been supported for reasons stated in Section 6.2.2 of this report.

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<sup>102</sup> S552.043

## **ENG-R1**

242. There were seven submitters<sup>103</sup> who submitted on ENG-R1.
243. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190), Transpower (S299) and Manawa Energy (S438) support ENG-R1 as notified. We acknowledge the support for ENG-R1 as notified, however we have recommended amendments in response to submissions as outlined below.
244. Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and New Zealand Energy Limited (FS127) seek ENG-R1 be amended to provide for revisions of any relevant New Zealand Standards or National Environmental Standards; to accommodate any future updates of the documents referenced in ENG-R1. We reject this amendment as this would need to be provided in all provisions throughout the pTTPP that reference relevant New Zealand Standards or National Environmental Standards. A plan change process would be the appropriate method to respond to new or revised legislation.
245. BDC (S538) seek that the heading of ENG-R1 is amended to '*Energy Activity Performance Standards*'. We accept this amendment as the inclusion of 'Permitted' is unnecessary in our opinion, as the activity status is specified.

## **ENG-R2**

246. There were seven submitters<sup>104</sup> who submitted on ENG-R2.
247. Several submitters (S190, S299, S451, S478 and S538) support ENG-R2 as notified. We acknowledge the support for ENG-R2 as notified, however we have recommended amendments in response to submissions as outlined below.
248. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-R2 be amended as follows:

*Where:*

- (1) All performance standards in Rule ENG - R1 are complied with; and
- (2) This is the operation, maintenance, repair and upgrade of an existing substation (zone) where any new works and/or upgrades are undertaken within existing switchyards or buildings, in any zone; or
- (3) This is a new substation (zone) ~~or upgrade to an existing substation (zone):~~
  - i. Located in an Industrial zone; and
  - ii. The substation will be visually screened from the road and any

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<sup>103</sup> S190.051, S299.043, S438.048, S451.036, S478.093, S538.019, FS127

<sup>104</sup> S190.052, S299.044, S451.037, S478.094, S538.020, S547.099, S547.100, S547.101, S547.102, FS127.069, FS127.070, FS127.071, FS127.072

*existing residential building located outside the Industrial Zone by fencing and / or landscaping (including earth bunds)*

The submitters sought this amendment to:

- Adequately provide for the activities in other zones;
- Remove the upgrade to existing substations which is already provided for; and
- Majority of substations are in the Rural Zone.

We do not support the inclusion of 'any new works' as the scope of this is considered too wide and undefined with the potential for unintended consequences, particularly given this is a Permitted Activity standard. We accept the deletion of 'upgrade to an existing substation' as this is covered by Clause 2. We accept that landscaping should be limited to any substation located outside of the Industrial Zone as substations are consistent with the purpose of the Industrial Zone, however, we do not agree with the inclusion of earth bunds as it is unnecessary additional wording that is captured by 'landscaping'.

### **ENG-R3**

249. There were seven submitters<sup>105</sup> (S190, S451, S478, S538, S547 & FS127) who submitted on ENG-R3 who supported the standard as notified. We acknowledge the support for ENG-R3 and recommend ENG-R3 be retained as notified.

### **ENG-R4**

250. There were eight submitters<sup>106</sup> who submitted on ENG-R4.
251. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) support ENG-R4 as notified. We acknowledge the support for ENG-R4 as notified, however we have recommended amendments in response to submissions as outlined below.
252. Transpower (S299) seek that ENG-R4 be amended to clarify if it applies to new transmission lines. We agree that there is an interpretation issue and support the inclusion of 'new' to provide clarification when interpreting this rule.
253. Buller Electricity Limited (S451) and Frank and Jo Dooley (S478) seek that ENG-R4 be amended as follows:

*(4) The diameter or width of the replacement pole structures at its widest point does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced*

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<sup>105</sup> S190.053, S451.038, S478.095, S538.021, S547.103, S560.119, FS222.0238, FS127.073

<sup>106</sup> S190.054, S299.045, S451.039, S478.096, S538.022, S547.104, S547.105, S547.106, S560.120, S560.461, S560.462, FS127.003, FS127.016, FS127.074, FS127.075, FS127.089

*pole at its widest point;*

- (5) *~~A~~Up to five additional poles, assemblies, conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original;*

The submitters sought this amendment as the addition of 'structures' makes more practical sense, and the rule needs to provide for additional poles and assemblies as the current rules (PC145) provide for up to five poles as a Permitted Activity. We support the inclusion of a point of measurement as this helps to add clarity, efficiency and effectiveness of the standard. We do not however support the amendment to Clause 5 as in our opinion it provides unnecessary restriction, and the submitters did not provide sufficient evidence to support such amendment.

254. BDC (S538) seek that the heading of ENG-R4 be simplified to 'Operation, Maintenance, Repairs and Removal of Existing Above Ground Energy Activities' as it is too long and the inclusion of above ground provides clarity. Westpower Limited (S547) seek that the heading of ENG-R4 clearly define permitted activities. We accept the amendment sought by BDC (S538) for the reasons provided by the submitter, which in turn addresses the relief sought by Westpower Limited.

255. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-R4 be amended as follows and any duplication across clauses (2) – (9):

(4) *The diameter or width of the replacement pole does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not ~~exceed three times that of the replaced pole~~ 5 metres at its widest point;*

(5) *Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original. Where additional conductors or lines are installed any intermediate poles required to achieve electrical safety standards can also be installed;*

The submitter sought this amendment to enable the permitted activities provided for to be achieved in a safe and secure manner. We reject the amendments sought by submitters S547 and FS127 as in our opinion, 5 metres is large and could result in significant change in visual effects, particularly if the status quo pole is considerably narrower. Further, allowing an uncontrolled number of intermediate poles has the potential to result in adverse visual and amenity effects. This is also managed by Clauses 2 and 3 of ENG-R4.

## **ENG-R5**

256. There were six submitters<sup>107</sup> who submitted on ENG-R5.
257. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R5 as notified. We acknowledge the support for ENG-R5 as notified, however we have recommended amendments in response to submissions as outlined below.
258. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek ENG-R5 be amended as follows:

*The construction, operation, maintenance, repair and upgrade of renewable ~~energy~~ electricity structures for small and community scale ~~use~~ generation, and*

*The operation, maintenance, repair and minor upgrade of the existing renewable electricity generation activities*

*Where:*

- (1) Performance standards in Rule ENG - R1 are complied with;*
- (2) Solar panels do not exceed the permitted height in the relevant zone by more than 0.25m vertically;*
- (3) ~~Small-scale~~ wind turbines do not exceed 8m in height;*
- (4) ~~Small-scale~~ wind turbines comply with NZS 6808:2010 Acoustics - Wind Farm Noise;*
- (5) ~~Land-based-structure~~ Structures, building or impermeable surface for hydroelectricity generation must not exceed a footprint of ~~25m<sup>2</sup>~~ 100m<sup>2</sup> or an increase in area from existing buildings/structures and surfacing of more than 10%; and*
- (6) Any building or structure must not be located within an existing esplanade reserve or strip; and*
- (7) The maximum generation capacity for new small and community scale generation activities is 500kW.*

*Activity status where compliance not achieved:*

*Restricted Discretionary where performance standards ~~1-3 or 5-6~~ 2, 3, 5, 6 and 7 are not complied with.*

*Discretionary where performance standard 4 is not complied with.*

*Non-complying where with performance standard ~~4~~ 1 is not complied with.*

The submitter sought this amendment for the following reasons:

- The terminology within ENG-R5 should be altered to apply to small and community scale;
- Provision should be made for existing renewable electricity generation

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<sup>107</sup> S190.055, S438.049, S538.025, S560.121, FS127.035, FS222.0182, FS222.0239



activities;

- Wind turbines do not need to be specified as 'small scale' as there is a height and scale limit;
- It is inappropriate to require activities not meeting standard (4) to be a Non-complying Activity; and
- The size limits stipulated for land based structures, buildings or impermeable surface for hydroelectricity generation are too small to cover most existing schemes and will generally only apply to domestic scale new activities.

Westpower Limited (FS222) supports Manawa Energy's submission to enable renewable electricity generation, however, considers the scope of the amendment to be fundamental to the pTTPP. We accept the insertion of 'repair' as this is consistent with the Energy Policies. As a result of the amendment to the definition of 'small scale' in Section 6.2.2 of this report, the heading of ENG-R5 has been amended, which partially accepts the amendment sought by the Manawa Energy. In our opinion, this submission has raised that there is a gap in the Energy standards of the pTTPP as small-scale renewable electricity generation activities is not provided for. We recommend the inclusion of a Permitted Activity standard for community scale renewable electricity generation activities to address this gap.

## **ENG-R6**

259. There were numerous submitters<sup>108</sup> who submitted on ENG-R6.
260. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) support ENG-R6 as notified. We acknowledge the support for ENG-R6 as notified, however we have recommended amendments in response to submissions as outlined below.
261. Westland Milk Products (S63) seek ENG-R6 be amended to provide an additional clause be added to standard (3) as follows '[\*Non-habitable industrial buildings\*](#)'. The submitter sought this amendment as ENG-R6 is considered overly restrictive and does not provide for activities that are compatible with electricity activities. We agree that ENG-R6 is restrictive, with Clause 2 imposing that any activity that is not an energy activity requires resource consent as a Non-Complying Activity. We recommend that Clause 2 is deleted as it is overly restrictive and, in our opinion, does not give effect to the directive of ENG-P3 and the NPSET. However, we do not support the inclusion of 'non-habitable industrial buildings' due to the potential risks and complications associated with industrial buildings and the lack of evidence from

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<sup>108</sup> S63.019, S190.056, S451.002, S478.059, S486.019, S524.037, S538.026, S547.107, S560.122, FS127.004, FS127.017, FS127.076

Westland Milk Products to support this amendment.

262. Several submitters (S451, S478, S547 and FS127) seek ENG-R6 be included within the zone provisions where significant distribution lines exist, as there is a risk that the provisions contained in the Energy chapter of the pTTPP will be missed. We reject this amendment as this results in unnecessary cross referencing and risk of inconsistency across the pTTPP which is intended to be read in its entirety. In addition, lines are mapped which we consider provides a sufficient trigger for plan users.

263. Horticulture New Zealand (S486) and Federated Farmers of New Zealand (S524) seek ENG-R6 be amended to delete standard (4), as it sets an arbitrary setback distance of 12 metres which does not align with the NZECP34:2001. We do not support the relief sought as 12 metres is consistent with Regulation 14 the NESETA.

264. BDC (S538) and New Zealand Energy Limited (FS127) seek ENG-R6 amended to provide an additional clause be added to standard (3) as follows '*[Agricultural and horticultural activities provided that any earthworks do not result in a reduction of existing ground clearance distances from overhead lines](#)*'.

The submitters sought this amendment as there is currently no provision for agricultural and horticultural activities which is where a large portion of the electricity transmission network is located. It is considered that provided earthworks are undertaken to ensure no reduction of ground clearance distances, there will not be a threat to the integrity of the network. The Earthworks chapter includes limits for earthworks within proximity of the National Grid but not significant electricity distribution lines, which we consider to be a gap in the pTTPP. We recommend a consequential amendment to the Earthworks chapter; therefore, no amendment is required to ENG-R6 in relation to this relief sought. As discussed in paragraph 261, ENG-R6 is very restrictive, with Clause 2 imposing that any activity that is not an energy activity requires resource consent as a Non-Complying Activity. We recommend that Clause 2 is deleted as in our opinion it is overly restrictive and does not give effect to the directive of ENG-P3 and the NPSET. Based on this amendment, agricultural and horticultural activities can occur when compliant with clause 5 of ENG-R6.

265. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-R6 be amended to provide '[and](#)' at the end of standard (3)(iv) and replace '~~transmission~~' with '[distribution](#)', as it provides clarity of the line type. We reject the inclusion of 'and' as clauses 3 and 4 are two standalone standards which seek to manage two different effects; under conductors and within proximity to support structures. We do accept the replacement of transmission with distribution as this is consistent with the balance of the pTTPP and other higher order planning documents.

## **ENG-R7**

266. There were numerous submitters<sup>109</sup> who submitted on ENG-R7.
267. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R7 as notified. We acknowledge the support for ENG-R7 as notified, however we have recommended amendments in response to submissions as outlined below.
268. Westland Milk Products (S63) and Isaac Construction Ltd (FS106) seek ENG-R7 be amended to clause (iv) of standard (1) as follows: '*Non-habitable industrial, farm or...*'; as ENG-R7 is considered overly restrictive and does not provide for activities that are compatible with electricity activities. We reject the inclusion of 'non-habitable industrial buildings' due the potential risks and complications associated with industrial buildings and the lack of evidence to support this amendment.
269. Transpower (S299) seek ENG-R7 be amended to include an additional clause to standard (1) as follows: '*The activity is not a sensitivity activity*', to ensure consistency with the NPSET that directs that sensitive activities should not be located within the National Grid Yard. We support the relief sought as it is consistent with the NPSET and provides clarity to improve readability and application of ENG-R7.
270. Buller Electricity Limited (S451), Frank and Jo Dooley (S478) and New Zealand Energy Limited (FS127) seek ENG-R7 be included within the zone provisions where significant distribution lines exist, as there is a risk that the provisions contained in the Energy chapter of the pTTPP will be missed. Transpower oppose this submission as ENG-R7 relates to transmission and distribution within the Energy chapter is supported and negates the need for duplication. For the reasons outlined in paragraph 261, we reject this amendment. In addition, the National Grid Yard is mapped which in our opinion provides a sufficient trigger for plan users. Further, ENG-R7 is related to the National Grid Yard, not Significant Electricity Distribution Lines.
271. Horticulture New Zealand (S486) seek ENG-R7 be amended to delete clause (iv) of standard (1), as it is considered that if a non-habitable horticultural building is used for sorting and packing produce and complies with NZECP34:2001 then it should not be a Non-complying Activity. Transpower (FS110) oppose this submission as the resource consent process allows for consideration of the particular circumstances, including appropriate mitigation. We agree that the Non-complying Activity status is onerous and recommend non-compliance be provided for as a Discretionary Activity. We note that at a Discretionary Activity status level, it still allows for a complete and fulsome consideration of an activity and associated effects, and allows council the ability to impose appropriate conditions of consent or decline of resource consent if

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<sup>109</sup> S63.020, S190.056, S299.046, S451.003, S478.060, S486.020, S538.027, S545.011, S546.011, S620.086, FS106.001, FS127.018

required. This amendment has been recommended for ENG-R6 also.

272. Martin & Lisa Kennedy (S545) and Nick Pupich Sandy Jefferies (S546) seek ENG-R7 be replaced with the rules developed in the Operative Grey District Plan with regard to National Grid matters, as the submitters do not understand why the existing rules have not been carried over. Transpower (FS110) oppose this submission as there are discrete differences in the rules sought in their original submission and the Operative Grey District Plan. We do not support the relief sought as the proposed provisions in our opinion are more nuanced and give effect to the National Planning Standards. It is considered that the standard in the pTTPP provides greater clarity and removes wording that is not relevant within the Energy chapter, such as the extent of earthworks, which should be covered under the Earthworks chapter. This is unlike the Operative Grey District Plan which is lengthy and includes references to matters that should be captured in other chapters of the plan, such as earthworks.

273. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek ENG-R7 be amended to spell 'height' correctly in standard (2)(iii)(b). We accept this submission as correcting this typographical error will improve plan integrity.

#### **ENG-R8**

274. There were five submitters<sup>110</sup> who submitted on ENG-R8.

275. Several submitters (S190, S451, S478 & S547) support ENG-R8 as notified. We acknowledge the support for ENG-R8 as notified, however we have recommended amendments in response to submissions as outlined below.

276. BDC (S538) seek ENG-R8 be amended to include an additional standard as follows: '[\*The cabinet has a maximum area of 10m<sup>2</sup>\*](#)' as there is no area restriction impose and 10m<sup>2</sup> is considered appropriate. In our opinion, an area of restriction is necessary, however, we reject the proposed area of 10m<sup>2</sup> as this is a large area to be permitted in any zone, which would be very permissive. Regulation 20 of the NESTF limits cabinets to a footprint of 1.4m<sup>2</sup>, therefore, we recommend the adoption of this area.

#### **ENG-R9**

277. There were five submitters<sup>111</sup> who submitted on ENG-R9.

278. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Westpower Limited (S547) support ENG-R9 as notified. We acknowledge the support for ENG-R9 as notified, however we have recommended amendments in

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<sup>110</sup> S190.058, S451.040, S478.097, S538.028, S547.109

<sup>111</sup> S190.059, S560.123, S299.047, S438.050, S547.100, FS127.036, FS127.077

response to submissions as outlined below.

279. Transpower (S299) seek standard (3) of ENG-R9 be amended to provide clarity as follows: '*Any temporary structures are removed from the site ~~when operation ceases and the sites is rehabilitated~~ and the site is rehabilitated within six months of the operation ceasing.*'. In our opinion, it is necessary to provide a time period, however, we consider six months is too long of a period to remove a temporary structure. We recommend the requirement for the site to be rehabilitated within one month of the activity ceasing, as this is consistent with TEMP-R2 and provides consistency across pTTPP.
280. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek ENG-R9 be amended to replace 'energy' with 'electricity generation'. We reject this submission as electricity generation is included in the definition of 'energy activity' and the relief sought would limit the scope of ENG-R9 and it may be necessary to establish a temporary transmission activity following a state of emergency.

#### **ENG-R10**

281. There were six submitters<sup>112</sup> who submitted on ENG-R10.
282. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and Westpower Limited (S547) support ENG-R10 as notified. We acknowledge the support for ENG-R10 and we recommend ENG-R10 be retained as notified.
283. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek ENG-R10 be amended as follows:

(2) ~~Monitoring equipment is not more than 4m in height and 25m<sup>2</sup> in area.~~  
equipment is limited to:

(a) Masts and towers with a maximum footprint of 4m<sup>2</sup> and a maximum height of 10m, or

(b) Other structures up to 4m in height and 25m<sup>2</sup> in area.

*Activity status where compliance is not achieved: ~~Non-complying~~ Restricted Discretionary where performance standard 2 is not complied with. Non-complying where performance standard 1 is not complied with.*

The submitter sought this amendment to give effect to the NPSREG, as slimline masts and towers should be provided for to a greater height and monitoring structures should not be non-complying as this would be inconsistent with other structures generally in rural areas. We generally reject the amendment sought as we do not consider 4m<sup>2</sup> to be slimline and a height of 10 metres would be excessive in particular environments

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<sup>112</sup> S190.060, S438.051, S538.029, S547.111, S560.124, FS127.005, FS127.037, FS127.078  
FS222.0240

(such as the Residential Zone). We consider the current wording gives effect to Policy G of the NPSREG which requires District Plans to provide for activities associated with investigation.

284. BDC (S538) and New Zealand Energy Limited (FS127) seeks the deletion of ENG-R10 as there is provision for environmental and meteorological facilities within the Infrastructure chapter. We do not support this submission as the Overview states that the Infrastructure rules do not apply to the Energy chapter.

### **ENG-R11**

285. There were six submitters<sup>113</sup> who submitted on ENG-R11.
286. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R11 as notified. We acknowledge the support for ENG-R11 as notified, however we have recommended amendments in response to submissions as outlined below.
287. Transpower (S299) seek the heading of ENG-R11 be amended as follows: *'Substations not meeting Permitted Activity standards, [or not otherwise provided for](#);* as it provides clarity. Te Runanga o Ngati Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) oppose this submission as adverse effects need to be assessed against the Overlay chapter matters and not just Schedules 1-8. We do not support this amendment as it is considered unnecessary and does not improve efficiency or effectiveness of the plan.
288. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-R11 the deletion of matter of discretion (e) discharges are considered to be regulated by the Regional Plan. An additional amendment of matter (b) to include *'[functional](#)'* was sought. We accept the inclusion of 'functional', however, we reject the deletion of matter (e) as it is not related to discharges under the Regional Plan and rather relates to contamination of the areas identified in the Overlay chapter of the pTTPP.

### **ENG-R12**

289. There were five submitters<sup>114</sup> who submitted on ENG-R12.
290. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) support ENG-R12 as notified. We acknowledge the support for ENG-R12 as notified, however we have recommended amendments in response to submissions as outlined below.

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<sup>113</sup> S190.061, S299.048, S538.030, S547.112, S547.113, FS127.079, FS127.080, FS222.0241, FS230.071

<sup>114</sup> S190.062, S299.049, S538.031, S547.114, S547.115, FS127.006, FS127.08, FS127.082

291. Transpower (S299) and New Zealand Energy Limited (FS127) seek the heading of ENG-R12 be amended to delete '~~transmission and~~', as if transmission applies to activities other than the National Grid, then it needs to be clarified that ENG-R12 does not apply to National Grid transmission lines. We reject the amendment sought as there would be no default rule for the National Grid Yard.

292. BDC (S538) and New Zealand Energy Limited (FS127) seek the heading of ENG-R12 be amended as follows: '*Operation, Maintenance, Repairs or Removal of Existing Above Ground Energy Activities not meeting Permitted Activity Standards*', as a result of amendments sought above. We support the proposed amendment by BDC to the heading of ENG-R12. ENG-R4 will consequentially need to be amended.

### **ENG-R13**

293. There were four submitters<sup>115</sup> who submitted on ENG-R13.

294. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R13 as notified. We acknowledge the support for ENG-R3 as notified, however we have recommended amendments in response to submissions as outlined below.

295. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek amendment of matter (a) to include 'functional'. We accept this amendment as it gives effect to the Energy objectives and policies, and is consistent with the Energy standards.

### **ENG-R14**

296. There were five submitters<sup>116</sup> who submitted on ENG-R14.

297. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R14 as notified. We acknowledge the support for ENG-R14 as notified, however we have recommended amendments in response to submissions as outlined below.

298. Manawa Energy (S438) seek deletion of ENG-R14 due to the amendments requested to other Energy standards and considers the type of activity provided for by ENG-R14 is covered in ENG-R10. We do not support the relief sought as ENG-R5 requires a default rule, however, we do acknowledge the heading of ENG-R14 refers to 'renewable energy investigation activity' which does not have a Permitted Activity standard reference. We recommend the deletion of 'renewable energy investigation activity' from the rule heading as this could be captured by temporary energy activities or energy activities generally.

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<sup>115</sup> S190.063, S538.032, S547.116, FS127.083

<sup>116</sup> S190.064, S438.052, S538.033, S547.117, FS127.083, FS127.084

299. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek amendment of matter (d) in ENG-R14 to include 'locational, technical', to ensure consistency through the pTTPP. We accept this amendment as it gives effect to the Energy objectives and policies, and is consistent with the Energy standards.

### **ENG-R15**

300. There were five submitters<sup>117</sup> who submitted on ENG-R15.

301. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R15 as notified. We acknowledge the support for ENG-R15 as notified, however we have recommended amendments in response to submissions as outlined below.

302. Manawa Energy (S438) and New Zealand Energy Limited (FS127) seek to amend ENG-R15 as follows:

~~*Large-scale renewable electricity generation activity excluding wind*~~

*Upgrades, other than minor upgrades, and construction of renewable electricity generation activities (excluding wind) and renewable electricity generation activities not meeting rules R5, R9 and R10.*

*Restricted Discretionary Activities.*

*Discretion is limited to:*

- a. *The benefits of the proposal to Aotearoa New Zealand meeting its zero carbon, climate change and greenhouse gas targets;*
- b. *The benefits of the proposal to the local and regional community and to resilience for Te Tai o Poutini / the West Coast;*
- c. *Any functional needs and operational needs associated with the design or location of the proposal;*
- d. *The ability to mitigate any adverse effects of the proposal on the environment;*
- e. *The degree to which the proposed activity will cause significant adverse effects on values identified and protected through Overlay Chapter provisions.*

*Activity status where compliance not achieved: N/A*

This amendment is sought to give effect to the NPSREG and in addition, there currently is not a rule that provides for the maintenance, repair, operation and minor upgrading of existing renewable electricity generation activities. Manawa Energy considers the discretionary activity status unreasonable as the ongoing operation of these activities is essential to the resilience and wellbeing of the West Coast.

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<sup>117</sup> S190.065, S438.053, S538.034, S547.118, FS127.038, FS127.085, FS222.0184



303. Westpower Limited (FS222) supports the Manawa Energy's submission to enable renewable electricity generation, however, considers the scope of the amendment to be fundamental to the pTTPP. We agree that there is no permitted pathway for maintenance, repair, operation and minor upgrading of existing renewable electricity generation activity which reasonably should be provided for in the ENG rules. Therefore, we recommend the inclusion of a new Permitted Activity rule for these activities. New large scale renewable electricity generation activities will continue to be provided for as a Discretionary Activity. We do not support the specific relief sought to amend ENG-R14 as it creates unnecessary confusion and cross referencing of provisions, and large scale renewable electricity generation activities could have adverse effects that require management and consideration.
304. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek the heading of ENG-R15 be amended as follows: '*Large scale renewable electricity generation activity excluding wind not meeting Permitted Activity standards*'. We accept this submission as it provides clarity to ENG-R15 and ensures consistency with other Energy standards (e.g., ENG-R11 – ENG-R14, ENG-R19).

#### **ENG-R16**

305. There were four submitters<sup>118</sup> who submitted on ENG-R16.
306. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R16 as notified. We acknowledge the support for ENG-R16 and we recommend ENG-R16 be retained as notified.
307. Manawa Energy (S438), New Zealand Energy Limited (FS127) and Westpower Limited (FS222) seek for ENG-R16 to be amended to a Restricted Discretionary Activity and a Discretionary Activity where compliance is not achieved, as this aligns with other comparable District Plans, gives effect to the NPSREG, and is considered a more appropriate activity status. We reject the amendment sought due to the lack of evidence provided by submitters to support this request and the risk of potential adverse effects associated with a large scale wind farm. In our opinion a Discretionary Activity status is appropriate. In addition, we note that ENG-R5 provides for small scale wind farms as a Permitted Activity.

#### **ENG-R17**

308. There were five submitters<sup>119</sup> who submitted on ENG-R17.
309. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R17 as notified. We acknowledge the support for ENG-

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<sup>118</sup> S190.066, S438.054, S538.035, FS222.0185

<sup>119</sup> S190.067, S438.055, S538.036, FS127.040, FS222.0186

R17 and we recommend ENG-R17 be retained as notified.

310. Manawa Energy (S438), New Zealand Energy Limited (FS127) and Westpower Limited (FS222) seek for ENG-R17 to be amended to a Discretionary Activity where compliance is not achieved, as this is considered more appropriate than Non-complying Activity. We reject the amendment sought due to the lack of evidence provided by submitters to support this request and the risk of potential adverse effects associated with a wind farm which does not comply with New Zealand Standards NZS6806:2010 Acoustics – Wind Farm Noise. In our opinion a Non-Complying Activity status is appropriate. In addition, we note that ENG-R5 provides for small scale wind farms as a Permitted Activity.

### **ENG-R18**

311. There were two submitters who submitted on ENG-R18. Both submitters, Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538), support ENG-R18 as notified. We acknowledge the support for ENG-R18 and we recommend ENG-R18 be retained as notified.

### **ENG-R19**

312. There were five submitters<sup>120</sup> who submitted on ENG-R19.
313. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R19 as notified. We acknowledge the support for ENG-R19 as notified, however we have recommended amendments in response to submissions as outlined below.
314. Transpower (S299) seek for ENG-R19 to be amended to provide for activities within the National Grid Yard to provide greater clarity on the application of the rule for plan users. We agree with Transpower and consider that the heading of ENG-R19 should be consistent with language of ENG-R6 and ENG-R7.
315. Horticulture New Zealand (S486) and Federated Farmers of New Zealand (S524) seek the deletion of references to 'significant electricity distribution lines' and provision of ENG-R19 as a Restricted Discretionary Activity. Horticulture New Zealand and Federated Farmers consider that a Non-complying Activity status is too restrictive. Transpower (FS110) opposes this submission in part on the basis that it is inconsistent with Transpower's original submission. We agree that a Non-Complying Activity status is too onerous but do not support the provision of ENG-R19 as a Restricted Discretionary Activity. We recommend ENG-R19 is provided for as a Discretionary Activity.

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<sup>120</sup> S190.069, S299.050, S486.021, S524.038, S538.038, FS110.025, FS110.026,

## **ENG-R20**

316. There were six submitters who submitted on ENG-R20.
317. Te Mana Ora (Community and Public Health) of NPHS / Te Whatu Ora (S190) and BDC (S538) support ENG-R20 as notified. We acknowledge the support for ENG-R1 and we recommend ENG-R20 be retained as notified.
318. Manawa Energy (S438) considers renewable energy activities should not be provided for as a Non-Complying Activity, and therefore seek ENG-R20 be amended to remove reference to ENG-R14. Westpower Limited (FS222) supports the Manawa Energy's submission to enable renewable electricity generation, however, considers the scope of the amendment to be fundamental to the pTTPP. New Zealand Energy Limited (FS127) oppose this submission and consider there will always be a need for non-renewable energy sources. We reject the relief sought by Manawa Energy due to the lack of evidence within the submission to support the requested amendment and potential adverse effects that could be resultant by non-compliance with Restricted Discretionary Activity standards. In our opinion, it is appropriate that an assessment is provided in accordance with a gateway test through the policy pathway.
319. Westpower Limited (S547) and New Zealand Energy Limited (FS127) seek ENG-R20 be provided for in ENG-R18. We reject this submission as due to the lack of evidence and ENG-R18 is limited to energy activities generating electric or magnetic fields. This differs from ENG-R18 which deals specifically with energy activities generating electric or magnetic fields and ENG-R20 deals with substations, transmission and distribution lines, structures and foundations, electricity cabinets, community scale renewable electricity generation structures and temporary energy activities. On this basis, we do not consider it would be appropriate to combine ENG-R18 and ENG-R20.
320. Forest & Bird (S560) seek ENG-R20 reference ENG-R15 and ENG-R16 due to consequential changes previously sought. Westpower Limited (FS222) oppose this submission as it seeks to duplicate relevant matters. We reject the relief sought by Forest & Bird as it would result in unnecessary duplication across the rules.

## **New Standards**

321. Transpower (S299)<sup>121</sup> and Forest & Bird (FS34)<sup>122</sup> seek the insertion of a new standard to capture any energy activities not specifically provided for, as follows:

*[ENG-RX: Any energy activity which is not a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.](#)*

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<sup>121</sup> S299.051

<sup>122</sup> FS34.031

Activity Status Discretionary Activity

Activity status where compliance is not achieved: N/A

We acknowledge that the proposed rule will afford clarity and direction for plan users who are not familiar with the provisions of the RMA. We recommend that these submissions be accepted, and to ensure consistency across the Energy, Infrastructure and Transportation chapters we recommend that the same rule be included in the Infrastructure and Transportation chapters.

322. Manawa Energy (S438) seek the insertion of a new Non-complying Activity standard to capture energy activities that do not involve renewable electricity generation, as follows:

ENG-RX: Non-renewable Electricity Generation Activities

Activity Status Non-Complying

New Zealand Energy Limited oppose this submission. We do not support the insertion of the proposed new standard as in our opinion it is onerous and inconsistent with the Objectives and Policies of the Energy chapter. Further, non-renewable electricity generation activities are captured by the definition 'energy activity' and are therefore provided for by ENG-R1.

323. BDC (S538)<sup>123</sup> seek the insertion of a new Permitted Activity standard to provide for the operation, maintenance and repairs of existing below ground energy activities or provision for installation of new facilities, as follows:

ENG-RX: Operation, Maintenance, Repairs and Installation of Below Ground Energy Activities

Activity Status Permitted

We agree that the pTTPP is silent with respect to underground energy activities, therefore we support the inclusion of an additional Permitted Activity standard to provide for below ground energy activities as requested.

324. BDC (S538) seek the insertion of a new standard, based on INF-R9 as it is considered more appropriate to be provided for within the Energy chapter, as follows:

ENG-RX: Installation of Above Ground Energy Activities

Activity Status Permitted

Where:

- (1) The performance standards in Rule INF-R1 are met;
- (2) These are located in a GRUZ-General Rural Zone or LINZ-Industrial Zone, and poles do not exceed a height of 25 metres and towers do not exceed a height of 15 metres; and
- (3) These are not an extension of existing overhead lines that involve no

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<sup>123</sup> S538.023

more than five poles in areas where services are already above ground provided that written approval from landowners within a 22 metre radius of new poles has been obtained and provided to Council within 10 working days prior to activities commencing.

We reject the insertion of the proposed new standard as energy activities by definition include all distribution lines, no matter how small the voltage, therefore the Infrastructure chapter does not apply. ENG-R4 provides for existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations to be upgraded. We note that the Infrastructure chapter duplicates the Energy requirements and, in our opinion, should be deleted, we recommend the inclusion of a new rule to provide for the construction of distribution lines and transmission lines not managed by NESTA

325. Westpower Limited (S547)<sup>124</sup> seek the insertion of a new standard as ENG-R4 is silent as to when new lines are required to be placed underground or aboveground, as follows:

ENG-RX: Distribution Lines (including connection to consumers)

Activity Status Permitted

Where:

- (1) New lines are underground where located in RESZ-Residential, or CMUZ-Commercial and Mixed Use Zones; or
- (2) Existing above ground lines are located within the zones identified in (1) and are extended by no more than 5 poles; or
- (3) Are above ground within SASM sites within the zones identified in (1) for the purpose of maintaining the values of the SADM site; and
- (4) Poles for above ground lines do not exceed a height of 25m.

Activity status where compliance is not achieved: Restricted Discretionary

We agree that the pTTPP is silent with respect to underground energy activities, therefore we support the inclusion of an additional Permitted Activity standard to provide for below ground energy activities.

326. Westpower Limited (S547)<sup>125</sup> seek the insertion of a new Permitted Activity standard to provide for large scale generation in the Industrial Zone, as follows:

ENG-RX: The construction, operation, maintenance and upgrade of community and large scale energy activities excluding wind

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<sup>124</sup> S547.097

<sup>125</sup> S547.098

Activity status Permitted

Where:

- (1) Performance standards in Rule ENG-R1 are complied with;
- (2) The activity is located within the Industrial Zone; and
- (3) All buildings and generating structures comply with building coverage, height and setback requirements for the zone; and
- (4) Buildings and generating structures are screened by fencing and/or landscaping (including earth bunds) along any road frontage and the side boundary of a site that adjoins a RESZ-Residential, SETZ-Settlement, OSZ-Open Space or MUZ-Mixed Use zone.

Activity status where compliance is not achieved: Discretionary

We agree with the provision of large scale generation as industrial activities by definition under the pTTPP would include energy generation, however, in our opinion it is more appropriate to limit this to the General Industrial Zone as opposed to all Industrial Zones. All Industrial Zones would capture the Light Industrial Zone which is predominantly located in undeveloped areas with a higher degree of amenity effects which requires greater management in our opinion. This would include a requirement for compliance with GIZ-R1.

327. Westpower Limited (S547)<sup>126</sup> and New Zealand Energy Limited (FS127)<sup>127</sup> seek the insertion of a new Non-Complying Activity standard to provide for activities that do not comply with ENG-R6, as follows:

ENG-RX: Activities in and around the Significant Electricity Distribution Lines that do not comply with Permitted Activity standards

Activity status Non-Complying

We reject the insertion of the proposed new standard as in our opinion it is unnecessary, as activities that do not comply with ENG-R6 fall to a Non-complying Activity under ENG-R19.

328. New Zealand Energy Limited (S463 & FS127)<sup>128</sup> and Inchbonnie Hydro Limited (S540)<sup>129</sup> seek the Energy chapter provide for existing Hydroelectric Infrastructure in a specific special zone and provide rules to support this to be consistent with the RPS and NPSREG. We reject this amendment as in our opinion there is a lack of Section 32 justification to support a Special Purpose Zone in this instance. Under National Planning

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<sup>126</sup> S547.119

<sup>127</sup> FS127.086

<sup>128</sup> S463.001, S463.003, FS127.021, FS127.022

<sup>129</sup> S540.001, S540.003

Standards mandatory direction, a Special Purpose Zone must only be applied if impractical to manage proposed land use activities through another zone or combination of spatial layers. Energy specifically provides for this activity; therefore, we do not consider this an appropriate scenario to adopt the Special Purpose Zone.

### **6.3 S32AA Evaluation for Energy Chapter Recommended Amendments**

329. Section 32AA of the RMA requires a further evaluation to be undertaken in accordance with s32(1)-(4) if any amendment has been made to the proposal (in this case TTPP) since the original s32 evaluation report was completed. Section 32AA requires that the evaluation is undertaken in a level of detail that corresponds to the scale and significance of the changes. Minor changes to correct errors or improve the readability of TTPP have not been individually evaluated. In terms of s32AA, these minor amendments are efficient and effective in improving the administration of TTPP provisions, being primarily matters of clarification rather than substance.

330. While we consider that most of the amendments to this chapter to be minor, we have undertaken a Section 32AA evaluation of the amendments to policies ENG-P2, ENG-P3, ENG-P5, new rules for below ground energy activities, upgrade of community and large scale energy activities and policy recommended.

#### **6.3.1 Appropriateness of provisions to give effect to the objective**

331. Policies ENG-P2 and ENG-P5 are recommended to be amended to provide clearer direction as to what aspects of energy activities are addressed by the policies, and additional matters added to ENG-P2 to have regard to are included being location and cumulative effects. These amendments ensure that ENG-P2 and ENG-P3 directly reflect language of ENG-O2 and ENG-O3 improving the effectiveness and efficiency of the provisions.

332. Policy ENG-P3 is proposed to be amended to 'avoid' reverse sensitivity effects, this amendment gives effect to ENG-O2 and policy 10 NPSET.

333. The proposed new rules will give effect to policies particularly ENG-P2 and ENG-P6, improving the readability, efficiency and effectiveness of the Energy Chapter.

334. It is considered that these provisions will not result in significant change to the cost and benefits evaluated in the pre-notification s32 and there is no risk in acting or not acting due to insufficient information.

## Part Three: Infrastructure / Te Tūahanga

### 7.0 Consideration of Submissions Received

#### 7.1 Overview of Infrastructure Submissions Received

335. Given the number, nature and extent of the submissions and further submissions received, this s42A report has been structured based on chapter, followed by section, as they appear in the pTTPP.
336. Section 5.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions.
337. Due to the large number of submissions received, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.
338. The topics which are identified by key issue in this report are set out below:
- **Key Issue 1: General**
  - **Key Issue 2: Definitions**
  - **Key Issue 3: Overview**
  - **Key Issue 4: Infrastructure Objectives**
  - **Key Issue 5: Infrastructure Policies**
  - **Key Issue 6: Infrastructure Standards**

#### 7.2 Officer Recommendations

339. Recommended amendments are contained in *Appendix 1: Recommended Amendments to Energy, Infrastructure and Transport chapters*.
340. A full list of submissions and further submissions is contained in *Appendix 2: Submissions and Further Submissions related to Energy, Infrastructure and Transport chapters*.
341. Additional information can be obtained from the:
- Section 32 report on this chapter; and
  - Overlays and maps on the ePlan.

##### 7.2.1 Key Issue 1: General

###### Analysis of Submissions on Key Issue 1 – General

342. David Ellerm (S581)<sup>130</sup> supports the Energy, Infrastructure and Transport

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<sup>130</sup> S581.012



chapter as notified. DoC (S602)<sup>131</sup> are neutral on the Energy, Infrastructure and Transport chapter as notified, as these provisions do not affect priority conservation values, biodiversity values or their interests. We acknowledge the support for the Infrastructure chapter as notified, however we have recommended amendments to the infrastructure provisions in responses to submissions as outlined in the subsequent sections.

343. David Ellerm (S581)<sup>132</sup> seeks the identification of the Te Kinga Potable Supply Bore, located on Lot 4 DP 3957, and the development of a Te Kinga Groundwater Source Protection Zone. Davis Ogilvie & Partners Ltd (FS154) and Cashmere Bay Dairy Ltd (FS142)<sup>133</sup> oppose this amendment as there is no provision under the National Planning Standards for a new 'Groundwater Source Protection Zone'. Davis Ogilvie & Partners Ltd (FS154) and Cashmere Bay Dairy Ltd (FS142) consider no scientific evidence has been provided to indicate that groundwater flows towards this privately-owned bore and water supply sources are already adequately protected by the WCRC (i.e., Rule 79 of Regional Land and Water Plan) and NESSHDW. In our view, we consider that the submission point is out of scope of what can be considered within the pTTPP under the RMA and is also outside of the regulatory function prescribed to a territorial authority under section 31 of the RMA. We reject the submission for the reasons provided by submitters FS154 and FS142.

344. Buller Conservation Group (S552)<sup>134</sup> and Frida Inta (S553)<sup>135</sup> seek amendment to the Infrastructure chapter to include municipal waste and waste management in general. These submissions provide insufficient detail and evidence for us to recommend provisions in the Infrastructure chapter, we encourage submitters to clarify in hearing evidence.

## 7.2.2 Key Issue 2: Definitions

### Overview

Provision(s)	Officer Recommendation(s)
Part 1: Definitions – Ngā Tautuhinga: land transport	Insert a definition of 'land transport infrastructure' as follows:  <i><a href="#">Any infrastructure, building, equipment or devices that support the</a></i>

<sup>131</sup> S602.036

<sup>132</sup> S581.065

<sup>133</sup> FS142.014, FS154.009

<sup>134</sup> S552.010

<sup>135</sup> S553.010

<p>infrastructure</p>	<p><u>movement of people and goods by land, including:</u></p> <ul style="list-style-type: none"> <li>a. <u>Cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands;</u></li> <li>b. <u>Pedestrian facilities and accessways, including footpaths, footways and foot bridges;</u></li> <li>c. <u>Railway tracks, bridges, tunnels, signalling, access tracks, retaining walls and facilities;</u></li> <li>d. <u>Roads including carriageways, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms;</u></li> <li>e. <u>Lighting, signals, signs and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting;</u></li> <li>f. <u>Safety devices including hand rails, bollards, cameras, road markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators;</u></li> <li>g. <u>Other traffic control devices including traffic islands, level crossings, pedestrian crossings, roundabouts and intersection controls, traffic and cycle. monitoring devices</u></li> <li>h. <u>Parking control devices;</u></li> <li>i. <u>Site access including vehicle crossings;</u></li> <li>j. <u>Street and rail furniture, artworks, passenger shelters and ticketing and tolling facilities;</u></li> <li>k. <u>Ancillary equipment and structures associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets; and</u></li> <li>l. <u>Stormwater management facilities, ventilation structures, drainage devices and erosion control devices.</u></li> </ul>
<p>Part 1: Definitions – Ngā Tautuhinga: telecommunications kiosk</p>	<p>Insert a definition for 'telecommunications kiosk' as follows:</p> <p><u>means any structure intended for public use to facilitate telecommunications and includes boxes or booths for telephone, video or internet services.</u></p>

**Analysis of Submissions on Key Issue 2**

345. KiwiRail (S442)<sup>136</sup> and RNZ (S476)<sup>137</sup> support the definitions of 'infrastructure', 'network utility operator', and 'upgrading' as notified. Transpower (FS110)<sup>138</sup> support the definition of 'infrastructure' as notified. Frank and Jo Dooley (S478)<sup>139</sup> seek the definitions of 'infrastructure' be retained as notified. We acknowledge the support for these definitions.

346. David Ellerm (S581)<sup>140</sup> seek the insertion of a new definition of 'infrastructure' as follows:

*means community based provision of services including drinking water, wastewater, stormwater, fire fighting, telecommunications, energy.*

Westpower Limited (FS222)<sup>141</sup> oppose this submission as infrastructure is already defined in the pTTPP. We agree with Westpower Limited and do not support David Ellerm's submission request.

347. WCRC (S488)<sup>142</sup> seek the insertion of a definition of 'resilience infrastructure' in alignment with the Infrastructure Funding and Financing Act 2020, as follows:

*means infrastructure for –*  
*(a) managing risks from natural hazards, including by avoiding or mitigating those hazards and reducing those risks; and*  
*(b) environmental monitoring equipment.*

We do not support the relief sought as this is considered to be appropriately provided for by the definition of 'natural hazard mitigation structure' within the pTTPP.

348. GDC (S608)<sup>143</sup> seek the definition of wastewater be amended to allow for the inclusion of the generation of greywater or blackwater as follows:

*means any combination of ~~two~~ one or more of the following wastes: sewage, greywater or industrial and trade waste.*

We reject the relief sought, as the definition of wastewater is specified by the National Planning Standards, and in accordance with mandatory direction 14 this definition may not be amended.

349. GDC (S608)<sup>144</sup> seek the definition of height be amended to include the

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<sup>136</sup> S442.003, S442.006, S442.015

<sup>137</sup> S476.004, S476.007, S476.011

<sup>138</sup> FS110.007

<sup>139</sup> S478.066

<sup>140</sup> S581.007

<sup>141</sup> FS222.069

<sup>142</sup> S488.001

<sup>143</sup> S608.507, S608.512, S608.520, S608.522

<sup>144</sup> S608.514, S608.521

specified reference point as follows:

*means the vertical distance between [existing ground level](#) and the highest point of any feature, structure or building above that point*

We reject the relief sought, as the definition of height is specified by the National Planning Standards, and in accordance with mandatory direction 14 this definition may not be amended.

350. BDC(S538) seek a definition be provided for 'telecommunication kiosk', as follows:

*[means any structure intended for public use to facilitate telecommunications and includes boxes or booths for telephone, video or internet services.](#)*

We support the relief sought as this is a unique term that may not be familiar to a layperson.

351. BDC (S538)<sup>145</sup> and GDC (S608)<sup>146</sup> seek a definition be provided for 'small cell utility'. We reject the relief sought, small cell utility is provided for and defined by the NESTF and in our opinion it is unnecessary to duplicate this definition.

352. BDC (S538)<sup>147</sup> seek a definition be provided for 'omni directional whip'. We reject the relief sought as the NESTF does not make reference to this term.

353. GDC (S608)<sup>148</sup> seek a definition be provided for 'Land Transport Corridor'. 'Land transport corridor' is only referred to once in the pTTPP (under INF-R12). With this in mind, in our view, we recommend amendment to INF-R12 to remove this reference and replace it with 'within legal road boundaries' as this is consistent with the pTTPP overall.

354. KiwiRail (S442)<sup>149</sup> seek a definition be provided for 'Land Transport Infrastructure' to ensure the pTTPP is interpreted correctly, as follows:

*[means the infrastructure, goods and services facilitating transport on land by any means. This includes coastal shipping and all fixed components of a transportation system, including roadways and bridges, railways, ports, cycle trails and other physical elements.](#)*

We agree that a definition of 'land transport infrastructure' should be included to clearly delineate between the Infrastructure and Transport chapters. We recommend a definition be provided, however, do not support the inclusion of coastal shipping as this is not related to land and consider goods and services to be too broad.

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<sup>145</sup> S538.052

<sup>146</sup> S538.052, S608.516

<sup>147</sup> S538.053

<sup>148</sup> S608.517

<sup>149</sup> S442.004

355. Transpower (S299)<sup>150</sup> support the definition of 'infrastructure' as notified. David Ellerm (S581)<sup>151</sup> seeks 'infrastructure' be defined. Westpower Limited (FS222) oppose this submission as there is an existing definition. We agree with Westpower Limited that Infrastructure is already defined.

356. Westpower Limited (S547) seek an Advice Note be provided as follows:

*Whilst electricity activities in item (d) are defined as infrastructure they are not provided for or controlled in the "Infrastructure Chapter" but in the "Energy Activities Chapter". Reference should also be made to the definition of "Energy Activities" in that regard.*

We reject this request as the pTTPP is intended to be read in its entirety and these chapters will be assessed where required.

357. NZDF (S519) seek the definition of 'infrastructure' be amended to include 'defence facilities', as the NZDF is undertaking a nationwide project to ensure strategic defence facilities and infrastructure are appropriately recognised and provided for in district plans. Defence facilities are nationally and regionally significant, playing an important role in both military training and civil and/or national defence operations. They are essential in enabling NZDF to meet its obligations under the Defence Act 1990. While NZDF does not currently have major facilities on the West Coast, this does not preclude the need for future defence infrastructure in the area. NZDF therefore requests that any defence facilities in the West Coast region are recognised and provided for in the District Plan as they are in many district plans throughout the country. We agree that defence facilities need to be provided for, however, we do not support the amendment to the 'infrastructure' definition as this would be inconsistent with section 2 of the RMA. In our opinion, it would be appropriate to provide for infrastructure and defence facilities within the Infrastructure chapter where appropriate. We do note that defence facilities are not excluded from the current provisions, with the Temporary Activities chapter also providing for the activities described by the NZDF.

### 7.2.3 Key Issue 3: Overview

#### Overview

Provision(s)	Officer Recommendation(s)
Overview,	Amend paragraph 4 as follows:

<sup>150</sup> S299.006

<sup>151</sup> FS222.069

paragraph 4	<p><i><u>Infrastructure includes a range of structures, services and activities as defined in Definitions – Ngā Tautuhinga.</u> The Infrastructure Chapter contains the objectives, policies, rules for managing a range of specified Infrastructure activities, <u>such as three waters, telecommunications networks and radio communication networks.</u> Port Activities are however managed in the Port Zone and Airport Activities are managed in the Airport Zone. The Infrastructure Chapter also does not apply to energy activities <u>nor National Grid activities</u> as these are addressed in the Energy Chapter nor does it apply to Transport Activities that are addressed in the Transport Chapter.</i></p>
Overview, Other relevant Te Tai o Poutini Plan provisions	<p>Amend the bullet point for 'Transport' as follows:</p> <p><i><u>the Transport chapter sets out the requirements for activities in and around transport corridors that may be relevant to infrastructure.</u></i></p>

### Analysis of Submissions on Key Issue 3 – Overview

358. There were five submitters<sup>152</sup> who submitted on the infrastructure chapter overview.
359. HNZPT (S140) support the overview as notified. Manawa Energy (S438)<sup>153</sup> support the third sentence of paragraph 4, as it clarifies the relationship between the INF and ENG chapters of the pTTPP. We acknowledge the support for the Overview as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.
360. GDC (S608) seek the correction of grammatical errors, with regard to the bullet point for transport ('in an around'). We accept this submission request for planning efficiency and accuracy.
361. GDC (S608) and New Zealand Energy Limited (FS127)<sup>154</sup> seek the overview remove reference to 'Site or Area of Significance to Māori' as the overlay is sought to be removed with sites reassessed. Te Runanga o Ngati Waewae, Te Runanga o Makaawhiio and Te Runanga o Ngai Tahu (FS41)<sup>155</sup> oppose this submission as cross referencing within the Plan is important for clarity. As there are specific rules in relation to infrastructure activities in the Sites and Areas of Significance to Māori chapter, we

<sup>152</sup> S140.011, S299.052, S560.132, S560.463, S608.500, S663.007

<sup>153</sup> S438.058

<sup>154</sup> S608.008

<sup>155</sup> FS41.2, FS230.0434

consider it is appropriate to retain this reference within the Infrastructure chapter.

362. Transpower (S299), Forest & Bird (S560), and Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) seek clarification regarding the activities addressed within the Infrastructure chapter to avoid confusion. Transpower (S299) specifically requested wording to advise that National Grid activities are addressed in the Energy chapter. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) specifically requested wording be provided to outline that the zone chapters do not apply. We accept the rationale to amend the overview to provide further clarity on the activities included within the Infrastructure chapter.

363. Manawa Energy (S438)<sup>156</sup> support the third sentence of paragraph 4, as it clarifies the relationship between the INF and ENG chapters of the pTTPP. We acknowledge the support for paragraph 4 of the Infrastructure overview as notified and recommend it be retained with no amendment.

## 7.2.4 Key Issue 4: Infrastructure Objectives

### Overview

Provision(s)	Officer Recommendation(s)
INF-01	Amend INF-01 as follows:  <i>To enable the safe, efficient and sustainable development, operation, maintenance and upgrading of utilities and infrastructure, to meet the <u>current and future</u> needs of the West Coast/Te Tai o Poutini.</i>
INF-02	Amend INF-02 as follows:  <i>To protect utilities and infrastructure from the adverse effects of <u>incompatible</u> subdivision, land use and development.</i>
INF-03	Retain INF-03 as notified
INF-04	Amend INF-04 as follows:  <i>To consider natural hazard resilience and impacts of climate change in infrastructure <u>location, design and provision.</u></i>
INF-05	Amend INF-05 as follows:  <i>The adverse effects of infrastructure on the environment are minimised,</i>

<sup>156</sup> S438.058

	<p><i>while recognising:</i></p> <ul style="list-style-type: none"> <li><i>a. The functional <u>needs</u> and operational needs of infrastructure; and</i></li> <li><i>b. That positive effects of infrastructure may be realised locally, regionally, or nationally.</i></li> </ul>
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#### **Analysis of Submissions on Key Issue 4 – Infrastructure Objectives**

364. There were nine submitters who submitted on the Infrastructure objectives collectively.

365. Several submitters (S446, S558, S566, S567 & S574) support the Infrastructure objectives as notified. We acknowledge the support for the Infrastructure Objectives as notified, however we have recommended amendments to the objectives in response to submissions as outlined in the subsequent sections.

366. BDC (S538) and RNZ (S476) seek that reference to utility is removed from the objectives and policies as the definition of 'infrastructure' encompasses network utility operations, therefore references to 'utility' are unnecessary. We agree that the use of the term utility within the Infrastructure chapter may result in uncertainty and potential for misinterpretation by plan users as it is captured by the definition of 'infrastructure'. We support BDC (S538) and RNZ's (S476) request and have amended where appropriate in the Infrastructure chapter (INF-P4 and INF-P6).

367. Margaret Montgomery (S446)<sup>157</sup> and New Zealand Energy Limited (FS127)<sup>158</sup> support the Infrastructure Objectives that allow for the operation and maintenance of critical infrastructure. We acknowledge this support, however, it has been recommended to delete references to critical infrastructure [see **Section 5.2.2**].

368. RNZ (S476) and New Zealand Energy Limited (FS127) seek that the objectives better recognise the following:

- The critical contribution that infrastructure and network utility operations make to the social, economic and cultural wellbeing of the West Coast;
- The technical and operational constraints that limit the geographic location in which network utilities in general can operate, particularly in relation to land use, subdivision and development; and
- The need to avoid 'reverse sensitivity' effects on network utilities for the benefit of the community.

We do not support this submission for the following reasons:

- In our opinion, INF-O1 already recognises the contribution of infrastructure and network utilities in the West Coast.

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<sup>157</sup> S446.006

<sup>158</sup> FS127.044



- We consider that INF-05 provides for the functional and operational needs to infrastructure and network utilities.
- In our opinion, INF-03 affords appropriate protection of network utilities.

### **INF-01**

369. There were nine submitters<sup>159</sup> who submitted on INF-01.
370. Several submitters (S190, S442, S450, S476, S519, S608 & S663) support INF-01 as notified. We acknowledge the support for INF-01 as notified, however we have recommended amendments in response to submissions as outlined below.
371. Forest & Bird (S560) seek INF-01 be amended as follows:  
*...to meet the needs of the West Coast/Te Tai o Poutini, [where adverse effects can be appropriately managed accordance with the Natural Environment and District Wide chapters of this Plan.](#)*

We reject the amendments sought as we consider that specifying particular chapters of the pTTPP in the objective limits and restricts the assessment and considerations directed through INF-01, while the pTTPP should be read in full. Further, the Infrastructure chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

372. BDC (S538) and RNZ (FS141) seek INF-01 be amended to ensure infrastructure provides for both current and future needs. We accept this submission as it aligns with section 5 and the purpose of the RMA.

### **INF-02**

373. There were seven submitters<sup>160</sup> who submitted on INF-02.
374. Several submitters (S190, S442, S450, S476, S519, S663 & FS34) support INF-02 as notified. We acknowledge the support for INF-02 and we have recommended amendments in response to the submission outlined below.
375. GDC (S608) seek INF-02 be amended to clearly define 'incompatible' in terms of the protection of utilities and infrastructure. In our opinion, there is a lack of provisions within the pTTPP to enforce INF-02, specifically what defines incompatible. For this reason, we recommend 'incompatible' be deleted. This amendment is also consistent with INF-P3.

### **INF-03**

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<sup>159</sup> S538.040, S190.072, S442.020, S450.024, S476.014, S519.009, S560.135, S608.501, S663.009, FS141.015

<sup>160</sup> S190.073, S442.021, S450.025, S476.015, S519.010, S608.502, FS34.047

376. There were four submitters<sup>161</sup> who submitted on INF-03.
377. Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora (S190), Waka Kotahi (S450) and Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) support INF-03 as notified. We acknowledge the support for INF-02 and recommend to retain INF-03 as notified.
378. GDC (S608) seek that INF-03 be amended to clearly define this section as to where the onus is put, i.e., on the developers where subdividing. In our opinion, no amendment is required. The intent of the objective is the efficient and proficient use of infrastructure which is achieved by coordinating the provision of utilities and infrastructure. INF-04 is then enforced by INF-P4 and INF-P5; this policy direction is given effect to by both private development in accordance with Subdivision provisions (Standards 4 – 8 of the Subdivision chapter) and public development in accordance with the Infrastructure provisions. We consider that the relief sought would reduce the scope and intent of the objective. This would consequentially reduce the scope of standards which could be imposed.

#### **INF-04**

379. There were eight submitters<sup>162</sup> who submitted on INF-04.
380. Several submitters (S190, S442, S450, S608, S612 & S663) support INF-04 as notified. We acknowledge the support for INF-04 as notified, however we have recommended amendments in response to submissions as outlined below.
381. Forest & Bird (S560) seek INF-04 be amended as follows:  
*To consider natural hazard [and biodiversity](#) resilience and impacts of climate change in infrastructure [location](#), design and provision.*
382. We do not support the amendment requested to provide for biodiversity within INF-04, as in our opinion the District Wide chapter ecosystems and biodiversity apply and provide sufficient direction on this matter. In addition, Forest & Bird did not provide specific reasoning to outline the issue with INF-04 and why this amendment is required. We do however accept the inclusion of 'location' as in our opinion, location is a key factor when considering how infrastructure may be affected by natural hazards and climate change.

#### **INF-05**

383. There were multiple submitters<sup>163</sup> who submitted on INF-05.

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<sup>161</sup> S190.074, S450.026, S608.503, S663.011

<sup>162</sup> S190.075, S442.022, S450.027, S560.136, S608.504, S612.008, S663.012, FS34.052

<sup>163</sup> S190.074, S442.023, S450.028, S476.016, S519.011, S560.137, S608.505, S620.091, S663.013, FS141.017, FS236.007

384. Several submitters (S190, S442, S450, S608, S612 & S663) support INF-O5 as notified. We acknowledge the support for INF-O5 as notified, however we have recommended amendments in response to submissions as outlined below.

385. Forest & Bird (S560) seeks to amend INF-O5 as the RPS provides specific direction for considering biodiversity adverse effects as follows:

~~minimised~~*avoided, remedied, and mitigated in accordance with the Natural Environment and District Wide chapters of this Plan, while recognising:*

RNZ (FS141) and KiwiRail (FS236) oppose Forest & Bird’s submission as ‘minimise’ is considered a more appropriate term, as this recognises the importance of infrastructure and it will not always be possible to ‘avoid, remedy or mitigate’ the effects from infrastructure. We reject the amendment to provide for biodiversity within INF-O5, as the District Wide chapter ecosystems and biodiversity applies to all activities and the pTTPP is intended to be read as a whole document. In our opinion, ‘avoid, remedy or mitigate’ is inconsistent with the RPS and we therefore do not support this amendment.

386. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek amendment to INF-O5 to clarify that effects on the environment include Poutini Ngāi Tahu values and to ensure consistency with INF-P2 as follows:

*Poutini Ngāi Tahu requirements for discharge of wastewater to land:*

We do not support the relief sought and consider that INF-P2 provides appropriate recognition for Poutini Ngāi Tahu values. Further, INF-O5 is clear and provides appropriate direction as an objective, setting out direction on effects on the environment, and is supported by INF-P2 which provides detail as required.

## 7.2.5 Key Issue 5: Infrastructure Policies

### Overview

Provision(s)	Officer Recommendation(s)
INF-P1	Amend INF-P1 follows: <i>Recognise and provide for the positive social, economic, cultural and environmental benefits from the development, continued operation, <u>maintenance</u>, and upgrading of utilities and infrastructure.</i>
INF-P2	Amend INF-P2 follows: <i>Manage the design and location of utilities and infrastructure, including when sited in overlays in a way which considers:</i> <i>a. <del>Locational, technical and operational constraints</del> <u>Operational</u></i>

	<p><i><u>need and functional need'</u></i>;</p> <p>b. Resilience to natural hazards and climate change;</p> <p>c. Poutini Ngāi Tahu requirements for discharge of wastewater to land;</p> <p>d. Benefits of co-location of infrastructure;</p> <p>e. That positive effects of infrastructure may be realised locally, regionally, or nationally; and</p> <p>f. The need to <del>minimise</del> <u>manage</u> adverse effects on the environment.</p>
INF-P3	Retain INF-P3 as notified
INF-P4	<p>Amend INF-P4 follows:</p> <p><i>Ensure that subdivision and development, is adequately serviced <u>to meet the current and future needs</u>, including:</i></p> <p>i. Financial contributions are provided where additional or upgraded <del>network-utility</del> <u>infrastructure</u> is required to service development.</p>
INF-P5	Retain INF-P5 as notified
INF-P6	<p>Amend INF-P6 as follows:</p> <p><i>Provide flexibility for <del>network-utilities</del> <u>infrastructure</u> to adopt new technologies that:</i></p>

### Analysis of Submissions on Key Issue 5 – Infrastructure Policies

387. There were four submitters<sup>164</sup> who submitted on the Infrastructure policies collectively.

388. Several submitters (S558, S566, S567 & S574) support the Infrastructure policies as notified. We acknowledge the support for the Infrastructure Policies as notified, however we have recommended some amendments in response to submissions as outlined in the subsequent sections.

389. RNZ (S476)<sup>165</sup> seek Infrastructure policies be amended to better recognise:

- The critical contribution that infrastructure and network utility operations (such as RNZ's Facilities) make to the social, economic and cultural wellbeing of the district, as well as health and safety;
- The technical and operational constraints that limit the geographic location in which network utilities in general, and RNZ's Facilities in particular, can

<sup>164</sup> S558.472, S566.472, S567.052, S574.472

<sup>165</sup> S476.045

- operate, particularly in relation to land use, subdivision and development; and
- The need to avoid "reverse sensitivity" effects on network utilities for the benefit of the community.

We acknowledge the relief sought, however, specific amendments were not sought. It is considered that INF-P1 recognises the importance of infrastructure, INF-P2 recognises technical and operational needs, and INF-P3 recognises reverse sensitivity.

### **INF-P1**

390. There were nine submitters<sup>166</sup> who submitted on INF-P1.
391. Several submitters (S190, S442, S450, S519 & S663) support INF-P1 as notified. We acknowledge the support for INF-P1 as notified, however we have recommended amendments in response to submissions as outlined below.

392. RNZ (S476) seeks that INF-P1 be amended as follows:  
*...utilities and infrastructure, in particular critical infrastructure.*

We have responded to critical infrastructure in Section 5.2.2 [paragraph 105 – 108].

393. Forest & Bird (S560) seek INF-P1 be amended as the RPS does not require the provision of regionally significant infrastructure in all cases, nor for infrastructure in general, as follows:

*Recognise ~~and provide for~~ the positive social, economic, cultural and environmental benefits from the development, continued operation, and upgrading of utilities network and infrastructure.*

RNZ (FS141) oppose this submission as it considers the inclusion of 'provide for' is important. We do not support the relief sought by Forest & Bird as in our opinion it would be inconsistent with the RPS, which recognises the importance of regionally significant infrastructure.

394. GDC (S608) seek INF-P1 be amended to provide for maintenance of utilities and infrastructure to give effect to INF-O1. We support the relief sought and recommend the insertion of 'maintenance' to ensure consistency with INF-O1.

### **INF-P2**

395. There were multiple submitters<sup>167</sup> who submitted on INF-P2.
396. Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora

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<sup>166</sup> S190.078, S442.023, S450.028, S476.016, S519.011, S560.137, S608.505, S663.013, FS141.014

<sup>167</sup> S190.079, S442.025, S476.018, S560.139, S594.003, S602.035, S608.507, S612.009, S620.411, S663.015, FS141.018, FS141.019, FS149.098

(S190), KiwiRail (S442) and Toka Tū Ake EQC (S612) support INF-P2 as notified. We acknowledge the support for INF-P2 as notified, however we have recommended some amendments in response to submissions as outlined below.

397. RNZ (S476) seek INF-P2 be amended as follows:

*e. The positive effects of infrastructure, in particular critical infrastructure:*

This amendment is requested to support RNZ's relief sought in relation to the definition of 'critical infrastructure'. RNZ specifically consider that INF-P2 ought to specifically provide for the importance of critical infrastructure. We have responded to critical infrastructure in Section 5.2.2 [paragraph 105 – 108].

398. Forest & Bird (S560) seek INF-P2 be amended as follows:

*Manage the design and location of network utilities and infrastructure, ~~including when sited in overlays~~ in a way which considers:*

- a. Locational, technical and operational constraints;*
- b. Whether there are alternative locations or a functional need to locating within an Overlay area or any Significant Natural Area (being areas meeting criteria in Appendix 1 of the WCRPS whether mapped in the Plan or not);*
- c. Resilience of the natural environment and of the infrastructure to natural hazards and climate change;*
- d. ...*
- e. The need to ~~minimise~~ avoid, remedy, or mitigate adverse effects on the environment in accordance with the Natural Environment and District Wide chapters of this Plan.*

Forest & Bird consider that 'minimise' is not sufficient to give effect to section 5 of the RMA, which requires adverse effects to be avoided, remedied, and mitigated on the environment. DoC (S602) also seek that Schedules, Significant Natural Areas and the Overlay Chapter areas are referred to in relation to adverse effects on the environment. RNZ (FS141) oppose the relief sought by Forest & Bird (S560) as 'minimise' is considered a more appropriate term, as it recognises the importance of infrastructure and also that it will not always be possible to 'avoid, remedy or mitigate' the effects from infrastructure. We do not support the amendment to provide for biodiversity within INF-P2 as District Wide Chapter Ecosystems and Biodiversity applies to all activities. Further, the Infrastructure chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards. In our opinion 'manage' is more appropriate than both 'minimise' and 'avoid, remedy or mitigate' as this provides greater certainty, is consistent with the approach taken throughout pTTPP and aligns with the RPS.

399. Janie Cook (S594) seeks the deletion of INF-P2 as they consider homeowners lose the right to consume rain that falls on their property. We do not support the

deletion of INF-P2. The policy in our opinion does not specifically limit the ability for land owners to have onsite rain water tanks.

400. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) and BDC (FS149)<sup>168</sup> seek clause (a) of INF-P2 be deleted and replaced with '*operational need and functional need*' to reflect the National Planning Standards and the pTTPP definitions. We support this amendment to ensure consistency of language, with definitions and the Energy chapter which will improve the effectiveness and efficiency of the plan.

### **INF-P3**

401. There were several submitters<sup>169</sup> who submitted on INF-P3.
402. Several submitters (S190, S450, S519, S608 & S663) support INF-P3 as notified. We acknowledge the support for INF-P3 and recommend to retain INF-P3 as notified.
403. KiwiRail (S442) and RNZ (FS141) seek INF-P3 be amended to provide for maintenance, repair, upgrading, removal and development of infrastructure; as the current wording does not apply to all activities (i.e., rail activities), rather it is limited to the operation (i.e., operation of the rail network). Kāinga Ora (FS58) oppose this submission as they consider that this would result in the requirement for subdivision, use and development to manage reverse sensitivity effects from planned or unplanned future infrastructure, rather than the infrastructure provider needing to assess the effects at the timing of planning or development. Kāinga Ora considers this provision should only require the management of reverse sensitivity effects from the current operations. We agree with Kāinga Ora and do not support the relief sought as in our opinion it is inconsistent with the RPS (specifically Policy 4.5 and 4.8).
404. RNZ (S476) and NZDF (FS31) seek INF-P3 be amended to specifically reference 'critical infrastructure' and strengthening of the policy wording to replace 'manage' with 'avoid'. The submitters consider that it is important to provide more stringent wording as reverse sensitivity can have a significant effect on infrastructure which is difficult to address once the effect arises. Kāinga Ora (FS58) oppose this submission as it considers that the requirement to avoid reverse sensitivity effects from all subdivision, use and development is too onerous and goes beyond what is required of the RPS. We agree with Kāinga Ora that 'manage' provides appropriate policy direction as the RPS requires protection, not avoidance, which is overly restrictive. We

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<sup>168</sup> FS149.008

<sup>169</sup> S190.080, S442.026, S450.030, S476.019, S519.013, S608.508, S663.016, FS31.008, FS58.033, FS58.034, FS58.084, FS58.085, FS141.020

do not support the amendment to include 'critical infrastructure' as the definition of infrastructure encompasses critical infrastructure and it is considered unnecessary to provide further wording within the policy to include this. Furthermore, we note that temporary military activities are provided for in the TEMP chapter and we consider it more appropriate that defence facilities continue to be managed in accordance with each zone provisions.

#### **INF-P4**

405. There were six submitters<sup>170</sup> who submitted on INF-P4.
406. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190), Waka Kotahi (S450), Toka Tū Ake EQC (S612) and Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) support INF-P4 as notified. We acknowledge the support for INF-P4 as notified, however we have recommended some amendments in response to submissions as outlined below.
407. BDC (S538) seek to amend INF-P4 to ensure that subdivision and development is serviced to meet *current and future* needs and to include '*Water Service Entity*' as one of the listed parties that infrastructure can be vested with. We support the amendment to include current and future needs as this is consistent with Policy 6.1 of the RPS in our opinion, however, we consider it is not appropriate to include reference to 'Water Service Entity' as it does not align with the policy wording (which does not refer to specific providers) and this entity does not currently exist.
408. Forest & Bird (S560) seek INF-P2 be amended as follows:  
*Ensure that subdivision and development ~~is~~ can be adequately serviced including:*  
*In site selection and design considerations, assessing the adverse effects of subdivision and development as well as adverse effects of services when determining whether the subdivision or development should occur in that location in the first place; and that adequate services includes:*
- Forest & Bird seek this amendment as they considered that prior to subdivision and development, there should be consideration of constraints, including where adverse effects on natural values can and should be avoided. We do not support this amendment as the Subdivision chapter policies SUB-P1 and SUB-P2 already address these matters and this relief will result in unnecessary duplication of policy direction.

#### **INF-P5**

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<sup>170</sup> S190.081, S190.082, S442.027, S450.031, S450.032, S538.041, S560.140, S607.509, S608.510, S612.0010, S612.011, S630.092, S663.017



409. There were seven submitters<sup>171</sup> who submitted on INF-P5.
410. Several submitters (S630, S450, S560, S607, S612 & S663) support INF-P5 as notified. We acknowledge the support for INF-P5 and recommend to retain INF-P5 as notified.
411. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek INF-P5 be amended to provide for onsite treatment, in addition to detention, as this aligns with Poutini Ngāi Tahu values and safeguards the community wellbeing. The current wording of INF-P5 allows for onsite treatment and detention and in our opinion no change is required.

### **INF-P6**

412. There were six submitters<sup>172</sup> who submitted on INF-P6.
413. All submitters (S190.083, S442.028, S476.020, S560.141, S608.511 and S663.018) support INF-P6 as notified. We acknowledge the support for INF-P6 and recommend to retain INF-P6 as notified.

### **New Policy**

414. Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora (S190)<sup>173</sup> seek an additional policy be included as follows:

*[Minimise the risk of adverse effects by subdivision, development and activities on drinking water sources through a Drinking Water Source Protection Zone.](#)*

This amendment is sought in accordance with the NES-SHDW and a Drinking Water Source Protection Zone which would ensure any drinking water supply is protected from potential adverse effects. Further, the Canterbury Regional Plan has incorporated Drinking Water Source Protection Zone. GDC (FS1)<sup>174</sup> support the protection of drinking water sources through policy, however, do not support the creation of an overlay. Whilst the method of a Drinking Water Source Protection Zone has been utilised within other district plans in New Zealand, we do not have sufficient information, technical evidence or section 32 evaluation in our opinion to support this relief. Furthermore, we consider the INF policies support provision of safe drinking water. We would however welcome Te Mana Ora to provide further information through evidence to support the relief sought.

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<sup>171</sup> S630.092, S450.031, S560.140, S607.509, S612.010, S620.093, S663.017

<sup>172</sup> S190.083, S442.028, S476.020, S560.141, S608.511, S663.018

<sup>173</sup> S190.071, S190.074, S190.077, S190.084

<sup>174</sup> FS1.340, FS1.341

## 7.2.6 Key Issue 6: Infrastructure Standards

### Overview

Provision(s)	Officer Recommendation(s)
Note 2	<p>Amend Note 2 as follows:</p> <p><i>The installation and operation of telecommunications facilities (such as cabinets, <del>antennas, poles,</del> small cell-units and telecommunications lines) undertaken by a telecommunications facility operator are controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2016, separate to Te Tai o Poutini Plan.</i></p>
INF-R1	<p>Amend heading of INF-R1 as follows:</p> <p><i>'Infrastructure <del>Permitted</del> Activity Performance Standards'</i></p>
INF-R2	<p>Amend INF-R2 as follows:</p> <p><i>INF-R2 Connections to <u>water</u>, wastewater and stormwater <del>and</del> reticulated systems</i></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><i>(1) <del>The building is serviced by, and e</del>Certification is provided from the relevant local authority that capacity exists within the reticulated water supply, wastewater or stormwater networks to service the proposed activity.</i></p> <p><i>Activity status where compliance not achieved: Restricted Discretionary</i></p>
INF-R3	<p>Retain INF-R3 as notified</p>
INF-R4	<p>Retain INF-R4 as notified</p>
INF-R5	<p>Delete INF-R5</p>
INF-R6	<p>Amend INF-R6 as follows:</p> <p><i><u>Navigational aids/beacons, environmental monitoring equipment and Meteorological Facilities</u></i></p> <p><i>Activity Status Permitted</i></p> <p><i><del>Where:</del></i></p> <p><i><del>(1) These are located in a RURZ Zone or INZ—Industrial Zone.</del></i></p>
INF-R7	<p>Amend the heading of INF-R7 as follows:</p> <p><i><del>Installation, extension, maintenance, operation, upgrade and repair of lines, underground pipelines and ancillary vehicle access tracks</del></i></p>

	<del>erected by a Network Utility Operator</del> <u>Operation, maintenance, repairs and extension of existing network utilities</u>
INF-R8	Delete INF-R8
INF-R9	Retain INF-R9 as notified
INF-R10	Retain INF-R10 as notified
INF-R11	Amend INF-R11 as follows: <i>Where:</i> (1) <i>This meets the performance standards in Rule INF - R1.</i> (2) <u>the volume (including any ancillary equipment, but not including any cabling) is not more than 0.11m<sup>3</sup>.</u>
INF-R12	Amend INF-R12 as follows: (1) ... b. <i>When in a <del>land-transport-corridor</del> <u>legal road boundaries</u> of a formed legal road, fits within an envelope of 3.5m in length and 0.7m in diameter;</i> (2) <i>This is located outside a <del>land-transport-corridor</del> <u>legal road boundaries</u>:</i> i. <i>The combined height (network utility) of a telecommunications pole and antenna does not exceed:</i> a. <i>15m in a RESZ - Residential Zone, <del>CMUZ - Commercial and Mixed Use Zone</del> or SETZ - Settlement Zone;</i> b. <u>20m in a CMUZ - Commercial and Mixed Use Zone;</u> c. <i>20m in an INZ - Industrial Zone;</i> d. <i>25m in all other locations, or 30m where there are two or more users of the same pole.</i>
INF-RXX (Permitted Activity)	Insertion of a new Permitted Activity standard: <u>Amateur Radio Communications</u>  (1) <u>Amateur Radio Communication means that communication permitted by the General User Licence (Radio) (ZZ) for Amateur Radio Operators – issued Pursuant to Regulation 9 of the Radiocommunications Regulations 2001 ("Regulations") made under section 116(1)(b) of the Radiocommunications Act 1989 for the transmission of radio waves by amateur radio operators in New Zealand, for the purpose of communications in the amateur radio service in accordance with the applicable terms, conditions and restrictions of such licence. Operators must have: [1] a current General Amateur Operator's Certificate of Competency (GAOC), and [2] a callsign.</u>  (2) <u>The following equipment shall be permitted under Amateur</u>

	<p><u>Radio Communications:</u></p> <p>a. <u>A single tower with a maximum height of 25 metres.</u></p> <p>b. <u>Four supplementary poles each having a maximum height of 15 metres, or including an antenna or lightning spike, 20 metres.</u></p> <p>c. <u>A transmission building (including ancillary buildings) with a maximum area of 250 square metres. This shall apply in cases where transmission equipment is not located in an existing building, such a house or shed/garage.</u></p> <p>(3) <u>The following equipment attached to or erected on the existing tower and buildings or at the site on a permanent basis (in addition to the masts referred to above:</u></p> <p>a. <u>radio communication antennas including whip, grid, yagi, dipoles and panels or similar, and ancillary equipment, but no single dish or panel antenna shall have a solid frontal surface area greater than 7 square metres or 2.5 metres in diameter in the case of dish antenna unless otherwise coming within the abovementioned sections and/or Regulations.</u></p> <p>(4) <u>Any beacon or repeater established per the abovementioned Regulations shall be permitted.</u></p> <p>a. <u>Where such repeater or beacon is permanently established and co-located in the premises of another qualifying operator/service (such as Kiwirail, Chorus, Department of Conservation etc) it shall meet any necessary conditions as agreed with that operator/service - such as not creating any unwanted interference with the operation of the transmission equipment of the other operator/service.</u></p> <p>(5) <u>Temporary or emergency operation of radio transmission equipment and antenna systems shall be permitted for a period of 7 days without notification – so long as no undue interference is created. Periods of operation longer than 7 days should be notified to the Regional/District Council concerned, with the reason for the temporary/emergency operation provided and indication of timeframe the communication is needed.</u></p> <p>(6) <u>With respect to any temporary or emergency operation of amateur radio equipment, the amateur radio operator(s)</u></p>
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	<i><u>involved shall comply with any lawful direction from any officer if the Regional/District Council and/or Police or Civil Defence Officer.</u></i>
INF-R13	Retain INF-R13 as notified
INF-R14	Retain INF-R14 as notified
INF-R15	Retain INF-R15 as notified
INF-R16	<p>Amend INF-R16 as follows:</p> <p><i>Connections to <u>water</u>, wastewater <u>and</u> stormwater <del>and</del> reticulated system not meeting Permitted Activity standards</i></p> <p>...</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Level of flood hazard mitigation through stormwater control;</i></li> <li><i>b. Any requirement for pre-treatment, retention or detention of stormwater or wastewater prior to discharge to the reticulated system;</i></li> <li><i>c. Provision of drinking water connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and Council Engineering Standards;</i></li> <li><i>d. Provision for wastewater connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and Council Engineering Standards.</i></li> <li><i>e. <u>Scope and scale of proposed activity and potential demand on reticulated services.</u></i></li> <li><i>f. <u>Cumulative effects on reticulated systems.</u></i></li> </ul>
INF-R17	Retain INF-R17 as notified
INF-R18	Delete INF-R18
INF-R19	<p>Amend the heading of INF-R19 as follows:</p> <p><i><u>Lighthouses, navigational aids, beacons, environmental monitoring and extreme weather event monitoring and meteorological facilities not meeting Permitted Activity standards</u></i></p>
INF-R20	Delete INF-R20
INF-R21	Retain INF-R21 as notified
INF-R22	Retain INF-R22 as notified

INF-R23	Retain INF-R23 as notified
INF-R24	Retain INF-R24 as notified
INF-R25	Retain INF-R25 as notified
INF-R26	Amend the heading of INF-R26 as follows:  <i>'Installation, extension, maintenance, operation, <del>minor</del> upgrade and repair of lines, poles and towers erected by a Network Utility Operator not meeting Permitted Activity standards'</i>
INF-R27	Retain INF-R27 as notified
INF-R28	Retain INF-R28 as notified

### **Analysis of Submissions on Key Issue 6 – Infrastructure Standards**

415. Forest & Bird (S560)<sup>175</sup> seek that permitted activities include a standard that the ECO, ONFL, CE, EW and NC chapters must be met. We reject this request as the pTTPP is intended to be read in its entirety and these chapters will be assessed where required.

416. Forest & Bird (S560)<sup>176</sup> seek that Restricted activities include an additional matter of discretion to allow for consideration of natural values, as follows:

*adverse effects on natural values, including those not yet identified on overlays, and the requirement to manage those effects in accordance with the Natural Environment and District Wide chapters of this Plan.*

Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (FS41)<sup>177</sup> support Forest & Bird's submission request as they support the matters of discretion in each rule including the values of any zones, overlays and District Wide chapters (including SASM). We do not support the amendment sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the overview at the start of the Infrastructure chapter

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<sup>175</sup> S560.143, S560.144, S560.145, S560.146, S560.147, S560.148, S560.149, S560.150, S560.151, S560.152, S560.153, S560.154, S560.155, S560.156

<sup>176</sup> S560.157, S560.158, S560.159, S560.160, S560.161, S560.162, S560.162, S560.163, S560.164

<sup>177</sup> FS41.42, FS41.043, FS41.044, FS41.045, FS41.046, FS41.047, FS41.048, FS41.049, FS41.109, FS41.110, FS41.111, FS41.112, FS41.114, FS41.115, FS41.116, FS41.117, FS41.118, FS41.119, FS41.120

provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

417. BDC (S538)<sup>178</sup> seek the performance standards be presented in a different format. BDC have not provided detail or an example of the alternative format requested, as such we are unable to support the relief sought and invite the submitter to provide further evidence.
418. Paul Finlay (S408)<sup>179</sup> and New Zealand Energy Limited (FS127)<sup>180</sup> seek the performance standards provide for monitoring building and equipment to pick up the movement of the plates and Alpine Fault. Whilst we accept that earthquakes are a natural hazard risk, insufficient technical evidence and s32 evaluation to support relief sought. We would welcome Paul Finlay to provide further evidence to support this submission request.
419. Forest & Bird (S560)<sup>181</sup> seek Notes (2), (3) and (4) be amended to clarify the matters covered by the Infrastructure chapter and those in other chapters. In our review, the Notes are clear and address the relevant matters to the Infrastructure chapter appropriately.
420. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663)<sup>182</sup> seek Note (2) be amended to reflect that the NESTF does not regulate all new poles and antennas. We accept the relief sought as it is consistent with the NESTF.

### **INF-R1**

421. There were eight submitters<sup>183</sup> who submitted on INF-R1. Several submitters (S190, S476, S558, S566, S567 & S574) support INF-R1 as notified. We acknowledge the support for INF-R1 as notified, however we have recommended amendments in response to submissions as outlined below.
422. BDC (S538) seek that the heading of INF-R1 is amended to '*Infrastructure Permitted Activity Performance Standards*'. We accept this amendment as the inclusion of 'Permitted' is unnecessary in our opinion, as the activity status is specified, and this is consistent with the recommendation made for the equivalent standard in the Energy chapter (ENG-R1).

### **INF-R2**

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<sup>178</sup> S538.053

<sup>179</sup> S408.002, FS127.046

<sup>180</sup> FS127.045

<sup>181</sup> S560.134

<sup>182</sup> S663.019

<sup>183</sup> S109.001, S190.085, S476.021, S538.042, S558.483, S566.483, S567.053, S574.483

423. There were numerous submitters who submitted on INF-R2.
424. Several submitters (S190, S450, S538, S558, S566, S567, S567 & S612) support INF-R2 as notified. We acknowledge the support for INF-R2 as notified, however we have recommended amendments in response to submissions as outlined below.
425. Forest & Bird (S560) seek INF-R2 be amended to a Controlled Activity to allow Council to assess capacity. We agree that the Permitted Activity status is inappropriate, due to the uncertain capacity and need for determination from Council as to whether or not capacity is available. However, we also do not support the activity being provided for as a Controlled Activity, as this creates an unnecessary burden and cost to applicants seeking a consent that cannot be declined for the purpose of determining capacity. We have recommended amendment to INF-R2, to enable connections as a permitted activity where certification is provided from the relevant council that capacity is available. We recommend additional matters of discretion be added to INF-R16 to appropriately address scale of activities. .
426. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek the addition of an advice note as follows:  
[Capacity for the purpose of this rule includes volume and the ability for the network to control the amount of water-borne contaminants, litter and sediments as set out in the consents for the network.](#)
- We do not support the relief sought as we consider this is a Regional Council function related to water quality.
427. GDC (S608) seek clarification of what buildings are required to connect to reticulated services and proposes the inclusion of 'or structure in which human wastewater is generated'. We agree that the current wording of INF-R2 is unclear and have recommended amendments as a result.

### **INF-R3**

428. There were seven submitters<sup>184</sup> who support INF-R3 as notified. We acknowledge the support for INF-R3 and recommend to retain INF-R3 as notified.

### **INF-R4**

429. There were numerous submitters<sup>185</sup> who submitted on INF-R4.
430. Several submitters (S190, S442, S476, S558, S566, S567, S574 & S608) support INF-R4 as notified. We acknowledge the support for INF-R4 and recommend

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<sup>184</sup> S190.087, S538.044, S442.029, S476.022, S538.045, S558.505, S560.144, S566.505, S567.055, S574.505

<sup>185</sup> S190.088, S558.516, S560.145, S566.516, S567.056, S574.516, S608.513, S663.021



to retain INF-R4 as notified.

431. BDC (S538) seek INF-R4 be amended to delete references to 'activity' to provide consistency with the rule framework. We do not support this amendment as the inclusion of 'activity' is needed in our opinion to ensure INF-R4 reads correctly and is also consistent with the Temporary Activities chapter.

432. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) seek an additional clause to (2) to provide an increased period of 12 months is provided for to cater for construction/re-construction activity, as follows:

*For a period of up to 12 months as part of construction or re-construction activity*

We do not support the relief sought as if it is part of construction or re-construction then the Energy chapter and INF-R7 would apply and address this; therefore, we consider this amendment would result in unnecessary duplication.

### **INF-R5**

433. There were seven submitters<sup>186</sup> who submitted on INF-R5.

434. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) and Te Runanga o Ngati Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41) support INF-R5 as notified. We acknowledge the support for INF-R5 as notified, however we have recommended amendments in response to submissions as outlined below.

435. WCRC (S488) and New Zealand Energy Limited (FS127) seek INF-R5 be amended to increase the height from 4 metres to 10 metres, as 4 metres is unreasonable given the current provision of 30 metres in the Rural Zone and that the environmental effects of hydrology monitoring structures and aerials is minimal in remote locations. In our opinion, an increase in height within an area of 25m<sup>2</sup> could result in structures of a significant scale, and this combined with the lack of evidence to support such an amendment is not considered appropriate and we do not support the relief sought.

436. BDC (S538) seek 'environmental monitoring equipment' be incorporated into INF-R6 (meteorological facilities). The reference to 'extreme weather event monitoring' is considered unnecessary as it is captured within the meaning of 'environmental monitoring'. This would result in the subsequent deletion of INF-R5. This will result in a consequential amendment to INF-R19. We agree INF-R5 and INF-R6 should be combined, as this is consistent with the Energy chapter; therefore, we recommend INF-R5 be deleted.

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<sup>186</sup> S190.089, S488.008, S538.046, S560.146, S608.514, FS127.048, FS230.033

## **INF-R6**

437. There were seven submitters<sup>187</sup> who submitted on INF-R6.
438. Several submitters (S190, S558, S566, S567 & S574) support INF-R6 as notified. We acknowledge the support for INF-R6 as notified, however we have recommended amendments in response to submissions as outlined below.
439. BDC (S538) seek INF-R6 be amended to give effect to the relief sought in relation to INF-R5 as follows:

*Navigational aids/beacons, environmental monitoring equipment and Meteorological Facilities*

*Activity Status Permitted*

*Where:*

~~*(1) These are located in a RURZ Zone or INZ—Industrial Zone.*~~

This will result in a consequential amendment to INF-R18 and INF-R20. We agree INF-R5 and INF-R6 should be combined, as this is consistent with the Energy chapter; therefore, we recommend INF-R5 be deleted.

## **INF-R7**

440. There were numerous submitters who submitted on INF-R7.
441. Several submitters (S190, S476, S558, S566, S567, S574 & S663) support INF-R7 as notified. We acknowledge the support for INF-R7 as notified, however we have recommended amendments in response to submissions as outlined below.
442. KiwiRail (S442) seek INF-R7 be amended to ensure it applies to rail infrastructure, as it considers it is essential to capture rail activities within the Permitted Activity. We do not support the relief sought as rail infrastructure is provided for appropriately within the Transport chapter.
443. BDC (S538) seek the heading of INF-R7 be amended as follows: '*Operation, maintenance, repairs and extension of existing network utilities*', as it simplifies it for ease of reference. We support the relief sought and based on this request we recommend consequential amendments throughout the Energy chapter to ensure consistency throughout the pTTPP.
444. GDC (S608) seek INF-R7 be amended to exclude standard 5 from standard 7 to provide clarity. We reject this request as standard 5 refers to pole, while standard 7 refers to structures; this amendment would result in a gap in the standard.

## **INF-R8**

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<sup>187</sup> S190.090, S538.047, S558.527, S560.147, S566.527, S567.057, S574.527

445. There were eight submitters<sup>188</sup> who submitted on INF-R8.
446. Several submitters (S190, S558, S566, S567, S574 & S663) support INF-R8 as notified. We acknowledge the support for INF-R8 as notified, however we have recommended amendments in response to submissions as outlined below.
447. BDC(S538) seek INF-R8 remove the advice note and insert a reference in the Energy chapter that directs plan users to INF-R8 when considering customer connections for electricity services. We agree with the submitter, however, we recommend that the standard is removed and inserted into the Energy chapter as this will remove the duplication of the standard with INF-R2.

### **INF-R9**

448. There were several submitters<sup>189</sup> who submitted on INF-R9.
449. Several submitters (S190, S558, S566, S567, S574 & S663) support INF-R9 as notified. We acknowledge the support for INF-R9 and recommend to retain INF-R9 as notified.
450. BDC (S538) seek INF-R9 be deleted and inserted into the Energy chapter, as it appears to encompass both electricity lines and telecommunication poles or towers. It is suggested that the electricity component is moved to the Energy chapter and the reference to telecommunications is removed. We do not support this submission as the current wording is clearly limited to telecommunications and it is necessary retain this in our opinion to ensure the telecommunication component can be reinforced.
451. Frida Inta (S553) seek INF-R9 be provided for as a Discretionary Activity, as it currently allows a cellphone tower to be built without resource consent. We do not support the relief sought as we consider INF-R9 is consistent with the General Residential Zone and Industrial Zones outcomes, defaulting to Discretionary Activity.

### **INF-R10**

452. There were numerous submitters<sup>190</sup> who support INF-R10 as notified. We acknowledge the support for INF-R10 and we recommend to retain INF-R10 as notified.

### **INF-R11**

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<sup>188</sup> S190.092, S538.049, S558.549, S560.149, S566.549, S567.059, S574.549, S663.024

<sup>189</sup> S190.093, S538.050, S553.043, S558.560, S560.150, S566.560, S567.060, S574.560, S663.025

<sup>190</sup> S190.094, S538.051, S558.571, S560.151, S566.571, S567.061, S574.571, S663.026, S663.028, FS98.001

453. There nine submitters<sup>191</sup> who submitted on INF-R11.
454. Several submitters (S190, S558, S566, S567 & S574) support INF-R11 as notified. We acknowledge the support for INF-R11 as notified, however we have recommended amendments in response to submissions as outlined below.
455. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) seek INF-R11 be amended to include an additional standard to align with the NESTF as follows:  
*the volume (including any ancillary equipment, but not including any cabling) is not more than 0.11m<sup>3</sup>*

We accept this amendment to align with the wording of the NESTF, which interprets small cell unit as follows: *means a device—*

- (a) that receives or transmits radiocommunication or telecommunication signals;  
and  
(b) the volume of which (including any ancillary equipment, but not including any cabling) is not more than 0.11 m<sup>3</sup>*

### **INF-R12**

456. There were nine submitters<sup>192</sup> who submitted on INF-R12.
457. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support INF-R12 as notified. We acknowledge the support for INF-R12 as notified, however we have recommended amendments in response to submissions as outlined below.
458. Several submitters (S558, S566, S567 & S574) seek INF-R12 be amended to be more enabling and provide clarity. We do not support these submissions as no specific relief has been provided.
459. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663) seek the heading of INF-R12 be amended, to cover equipment that does not meet the permitted standards of the NESTF, as follows:  
*'New telecommunications poles, new antenna attached to poles and new antenna attached to a building not regulated by the NESTF, or regulated equipment not meeting the permitted standards of the NESTF,'*
- In addition, it is also sought that a 20 metres height limit is sought for CMUZ – Commercial and Mixed Use Zone (other than the NCZ – Neighbourhood Centre Zone) and 25 metres height limit for INZ – Industrial Zone. This amendment is sought to

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<sup>191</sup> S190.095, S538.052, S558.582, S560.152, S566.582, S567.062, S574.582, S608.516, S663.027

<sup>192</sup> S190.096, S538.053, S558.593, S560.153, S566.593, S567.063, S574.593, S608.517, S663.029

provide more consistency with the standards being provided for in other district plans to better reflect the ability for these zones to absorb the effects of infrastructure. We support an increase of the height limit to 20 metres in the Commercial and Mixed Use Zone as it is consistent with the relevant Zone chapters of the pTTPP, however, we do not support an increase in the height limit 10 to 25 metres in the Industrial Zones as this would be inconsistent with GIZ-R1.

### **INF-R13**

460. There were numerous submitters<sup>193</sup> who submitted on INF-R13.
461. Several submitters (S190, S538, S558, S566, S567, S574 & S663) support INF-R13 as notified. We acknowledge the support for INF-R13 and recommend to retain INF-R13 as notified.
462. GDC (S608) seek INF-R13 to delete standard (4) or include a separate sub-provision, as it refers to the requirements for dish antennae in zoned land (INF-R13 is specifically for road reserve). We do not support the relief sought as INF-R14 applies to zoned land.

### **INF-R14**

463. There were numerous submitters who submitted on INF-R14.
464. Several submitters (S190, S538, S558, S566, S567, S574 & S663) support INF-R14 as notified. We acknowledge the support for INF-R14 and recommend to retain INF-R14 as notified.
465. GDC (S608) seek INF-R14 specify the requirements for width of panel antenna in the RESZ and SETZ if the limit is not 0.8 metres as clarity is required on what the requirements are in these two zones. We do not support the relief sought on the basis that GDC due to a lack of technical evidence on the need for such change. We welcome GDC to provide further evidence to support the consideration of this request.

### **INF-R15**

466. There were nine submitters<sup>194</sup> who submitted on INF-R15 supporting the rule as notified. We acknowledge the support for INF-R15 and recommend to retain INF-R15 as notified.

### **INF-R16**

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<sup>193</sup> S190.097, S538.054, S558.604, S560.154, S566.604, S567.064, S574.604, S608.518, S663.030, FS230.0353

<sup>194</sup> S190.099, S538.056, S558.626, S560.156, S566.626, S567.066, S574.626, S663.032, FS230.0355

467. There were numerous submitters<sup>195</sup> who submitted on INF-R16.  
468. Several submitters (S190, S558, S566, S567, S574 & S612) support INF-R16 as notified. We acknowledge the support for INF-R16 as notified, however we have recommended amendments in response to submissions as outlined below.

469. BDC (S538) seek INF-R16 be amended as follows:

~~Connections to wastewater, stormwater and reticulated systems not meeting Permitted Activity standards~~ Provision of On-site Water Supply, Wastewater and Stormwater Services

*Activity Status Restricted Discretionary*

*Discretion is restricted to:*

- a. ~~Level of flood hazard mitigation through stormwater control~~ Stormwater and overland flow path implications from water supplies, stormwater and/or wastewater controls;
- b. ~~Any requirement for pre-treatment, retention or detention of stormwater or wastewater prior to discharge to the reticulated system;~~
- c. *Provision of drinking water connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and or the relevant Council Engineering Standards;*
- d. *Provision for wastewater connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and or the relevant Council Engineering Standards.*

These amendments are sought for the following reasons:

- To represent the intent of INF-R16;
- Clause (a) could be expressed in terms relevant to installation, with consideration of stormwater and overland flow path implications when services are installed;
- Clause (b) does not appear relevant as it refers to discharges to reticulated systems; and
- Clause (c) and (d) refer to NZS4404 and Council is reviewing the use of this standard, hence the relief sought to allow the adoption of a subsequent engineering standard.

We do not support the relief sought as it is our opinion that this would completely change the intent of the rule as notified which was addressing connections to reticulated services. The submitter is seeking amendment to the rule to include provisions relating to onsite stormwater management, wastewater and water services.

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<sup>195</sup> S190.100, S538.057, S558.637, S560.157, S566.637, S567.067, S574.637, S608.520, S612.013, FS41.42

We note the following in response to this request:

- a. The West Coast Regional Land and Water Plan has rules to manage onsite discharge of sewage effluent<sup>196</sup>
- b. The West Coast Regional Land and Water Plan has a rule to manage stormwater discharge<sup>197</sup>
- c. The New Zealand Building Code includes management of surface water and provision potable water supply of at time of building consent.
- d. The proposed Subdivision Chapter includes standards addressing stormwater, wastewater and water supply.

We invite the submitter to provide further information and evidence to provide clarity of relief sought.

### **INF-R17**

470. There were five submitters<sup>198</sup> who submitted on INF-R17.
471. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support INF-R17 as notified. We acknowledge the support for INF-R17 as notified and recommend to retain INF-R17 as notified.
472. BDC (S538) seek the deletion of INF-R17 as it is not relevant to the region. We do not support the deletion of INF-R17 as it links to INF-R3 and it could provide a gap in future which would be a risk. INF-R3 requires a standard be provided for activities which do not comply with INF-R17.

### **INF-R18**

473. There were six submitters<sup>199</sup> who submitted on INF-R18.
474. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support INF-R18 as notified. We acknowledge the support for INF-R18 as notified, however we have recommended amendments in response to submissions as outlined below.
475. BDC (S538) seek the deletion of INF-R18 as the submitter seeks to have navigational aids and beacons as permitted activities. Given the amendment to INF-R5 and INF-R6, in our opinion it is appropriate to delete INF-R18 and INF-R20 and amend INF-R19.

### **INF-R19**

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<sup>196</sup> Rules 79 and 80

<sup>197</sup> Rule 81

<sup>198</sup> S190.102, S538.059, S560.159, S608.624, FS41.44, FS230.0358

<sup>199</sup> S190.102

476. There were six submitters<sup>200</sup> who submitted on INF-R19.
477. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) and Toka Tū Ake EQC (S612) support INF-R19 as notified. We acknowledge the support for INF-R19 as notified, however we have recommended amendments in response to submissions as outlined below.
478. BDC (S538) seek the deletion of INF-R19 as environmental, extreme weather event monitoring and meteorological facilities should be provided for as permitted activities. Given the amendment to INF-R5 and INF-R6, we consider that it is appropriate to delete INF-R18 and INF-R20 and amend INF-R19.

### **INF-R20**

479. There were five submitters<sup>201</sup> who submitted on INF-R20.
480. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support INF-R20 as notified. We acknowledge the support for INF-R19 as notified, however we have recommended INF-R20 be deleted.
481. BDC (S538) seek the deletion of INF-R20 as environmental, extreme weather event monitoring and meteorological facilities should be provided for as permitted activities. Given the amendment to INF-R5 and INF-R6, we consider that it is appropriate to delete INF-R18 and INF-R20 and amend INF-R19.

### **INF-R21**

482. There were six submitters<sup>202</sup> who submitted in support of INF-R21 as notified. We acknowledge the support for INF-R21 and recommend to retain INF-R21 as notified. We acknowledge the support for INF-R21 as notified and recommend to retain INF-R21 as notified.

### **INF-R22**

483. There were numerous submitters<sup>203</sup> who submitted in support of INF-R22. We acknowledge the support for INF-R22 as notified and recommend to retain INF-R22 as notified.

### **INF-R23**

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<sup>200</sup> S190.103, S538.060, S560.160, S612.014, FS41.45, FS230.0359

<sup>201</sup> S190.104, S538.061, S560.161, FS41.46, FS230.0360

<sup>202</sup> S560.162, S608.521, S612.015, S620.095, FS41.47, FS230.0361

<sup>203</sup> S190.106, S538.062, S558.648, S560.163, S566.648, S567.068, S574.648, S663.033, FS41.48, FS230.0362



484. There were numerous submitters<sup>204</sup> who submitted in support of INF-R23. We acknowledge the support for INF-R23 as notified and recommend to retain INF-R23 as notified.

#### **INF-R24**

485. There were eight submitters<sup>205</sup> who submitted in support of INF-R24. We acknowledge the support for INF-R24 as notified and recommend to retain INF-R24 as notified.

#### **INF-R25**

486. There were seven submitters<sup>206</sup> who submitted in support of INF-R25 as notified. We acknowledge the support for INF-R25 as notified and recommend to retain INF-R25 as notified.

#### **INF-R26**

487. There were numerous submitters<sup>207</sup> who submitted on INF-R26.

488. Several submitters (S190, S476, S538, S558, S560, S566, S567 & S574) support INF-R26 as notified. We acknowledge the support for INF-R26 as notified, however we have recommended amendments in response to submissions as outlined below.

489. KiwiRail (S442) seek INF-R26 be amended to provide for rail infrastructure. We do not support the relief sought as we consider rail infrastructure is appropriately provided for in the Transport chapter.

490. GDC (S608) seek INF-R26 be amended to remove reference to '*minor*' as there is no other allowance for the upgrade of these structures. We support the amendment sought as it provides clarity and removes unnecessary wording.

#### **INF-R27**

491. There were eight submitters<sup>208</sup> who submitted in support of INF-R27 as notified. We acknowledge the support for INF-R27 as notified and recommended to retain INF-R27 as notified.

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<sup>204</sup> S190.107, S538.063, S558.659, S560.164, S566.659, S567.069, S574.659, S663.034, FS41.49, FS230.0363

<sup>205</sup> S190.108, S558.670, S560.165, S566.670, S567.070, S574.670, S608.522, S620.096

<sup>206</sup> S190.109, S538.064, S558.681, S560.166, S566.681, S567.071, S574.681

<sup>207</sup> S190.110, S442.031, S476.024, S538.065, S558.692, S560.167, S566.692, S567.072, S574.692, S608.523

<sup>208</sup> S190.111, S476.025, S538.066, S558.703, S560.703, S567.073, S574.703

## **INF-R28**

492. There were eight submitters<sup>209</sup> who submitted in support of INF-R28 as notified. We acknowledge the support for INF-R28 as notified and recommended to retain INF-R28 as notified.

## **New Standards**

493. GDC (S608) seek the insertion of a new Permitted Activity as follows:

*INF-R13 New lighthouses, navigational aids and beacons*

*Activity Status Permitted*

*Where:*

*(1) This meets the performance standards in Rule INF-R1.*

*Activity status where compliance not achieved: Restricted Discretionary.*

In our opinion, the relief sought is already provided for under INF-R6 and INF-R19 and as such we do not support the amendment requested.

494. Branch 49 (Westland) of the New Zealand Association of Radio Transmitters (Inc.). (S109)<sup>210</sup> seek the insertion of a new rule as follows:

*Amateur Radio Communications.*

*(1) Amateur Radio Communication means that communication permitted by the General User Licence (Radio) (ZZ) for Amateur Radio Operators – issued Pursuant to Regulation 9 of the Radiocommunications Regulations 2001 ("Regulations") made under section 116(1)(b) of the Radiocommunications Act 1989 for the transmission of radio waves by amateur radio operators in New Zealand, for the purpose of communications in the amateur radio service in accordance with the applicable terms, conditions and restrictions of such licence. Operators must have: [1] a current General Amateur Operator's Certificate of Competency (GAOC), and [2] a callsign.*

*(2) The following equipment shall be permitted under Amateur Radio Communications:*

- a. A single tower with a maximum height of 25 metres.*
- b. Four supplementary poles each having a maximum height of 15 metres, or including an antenna or lightning spike, 20 metres.*
- c. A transmission building (including ancillary buildings) with a maximum area of 250 square metres. This shall apply in cases where transmission equipment is not located in an existing*

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<sup>209</sup> S190.112, S476.026, S538.067, S558.714, S560.169, S566.714, S567.074, S574.714

<sup>210</sup> S109.001

building, such a house or shed/garage.

(3) The following equipment attached to or erected on the existing tower and buildings or at the site on a permanent basis (in addition to the masts referred to above:

a. radio communication antennas including whip, grid, yagi, dipoles and panels or similar, and ancillary equipment, but no single dish or panel antenna shall have a solid frontal surface area greater than 7 square metres or 2.5 metres in diameter in the case of dish antenna unless otherwise coming within the abovementioned sections and/or Regulations.

(4) Any beacon or repeater established per the abovementioned Regulations shall be allowed.

a. Where such repeater or beacon is permanently established and co-located in the premises of another qualifying operator/service (such as Kiwirail, Chorus, Department of Conservation etc) it shall meet any necessary conditions as agreed with that operator/service - such as not creating any unwanted interference with the operation of the transmission equipment of the other operator/service.

(5) Temporary or emergency operation of radio transmission equipment and antenna systems shall be permitted for a period of 7 days without notification – so long as no undue interference is created. Periods of operation longer than 7 days should be notified to the Regional/District Council concerned, with the reason for the temporary/emergency operation provided and indication of timeframe the communication is needed.

a. With respect to any temporary or emergency operation of amateur radio equipment, the amateur radio operator(s) involved shall comply with any lawful direction from any officer if the Regional/District Council and/or Police or Civil Defence Officer.

We support the insertion of a new standard for amateur radio activity as this is not currently clearly provided for in the pTTPP. We note that amateur radio is a Controlled Activity in many other district plans in New Zealand.

495. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620) seek a new rule be provided for systems that discharge wastewater to water as a Non-complying Activity. We do not support the relief sought as this is a function of the WCRC and in our opinion not an activity that requires management in the pTTPP.

496. Frank and Jo Dooley (S478)<sup>211</sup> and Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663)<sup>212</sup> seek a new rule to allow for underground lines and back up electricity generators as a Permitted Activity. We do not support the insertion of a new standard for underground lines and back up electricity generators as in our opinion this is provided for by rules within the Temporary chapter of the pTTPP.

### **7.3 S32AA Evaluation for Infrastructure Chapter Recommended Amendments**

497. Section 32AA of the RMA requires a further evaluation to be undertaken in accordance with s32(1)-(4) if any amendment has been made to the proposal (in this case TTPP) since the original s32 evaluation report was completed. Section 32AA requires that the evaluation is undertaken in a level of detail that corresponds to the scale and significance of the changes. Minor changes to correct errors or improve the readability of TTPP have not been individually evaluated. In terms of s32AA, these minor amendments are efficient and effective in improving the administration of TTPP provisions, being primarily matters of clarification rather than substance.

498. We consider that the amendments to this chapter are minor wording adjustments or additional clauses to provide clarity and improve the efficiency and effectiveness of the provisions. Evaluation has been included in the discussion in response to submissions and it is considered that these provisions will not result in significant change to the cost and benefits evaluated in the pre-notification s32 and there is no risk in acting or not acting due to insufficient information.

## **Part Four: Transport / Te Tūnuku**

### **8.0 Consideration of Submissions Received**

#### **8.1 Overview of Transport Submissions Received**

499. Given the number, nature and extent of the submissions and further submissions received, this s42A report has been structured based on chapter, followed by section, as they appear in the pTTPP.

500. Section 5.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions.

501. Due to the large number of submissions received, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic

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<sup>211</sup> S478.092

<sup>212</sup> S663.020

response assists in providing a concise response to, and recommended decision on, submission points.

502. The topics which are identified by key issue in this report are set out below:

- **Key Issue 1: General**
- **Key Issue 2: Definitions**
- **Key Issue 3: Overview**
- **Key Issue 4: Transport Objectives**
- **Key Issue 5: Transport Policies**
- **Key Issue 6: Transport Standards**
- **Key Issue 7: Appendix One: Transport Performance Standards**

## 8.2 Officer Recommendations

503. Recommended amendments are contained in *Appendix 1: Recommended Amendments to Energy, Infrastructure and Transport chapters*.

504. A full list of submissions and further submissions is contained in *Appendix 2: Submissions and Further Submissions related to Energy, Infrastructure and Transport chapters*.

505. Additional information can be obtained from the:

- Section 32 report on this chapter; and
- Overlays and maps on the ePlan.

### 8.2.1 Key Issue 1: General

#### Analysis of Submissions on Key Issue 1 – General

506. David Ellerm (S581)<sup>213</sup> supports the Energy, Infrastructure and Transport chapter as notified. DoC (S602)<sup>214</sup> are neutral on the Energy, Infrastructure and Transport chapter as notified, as these do not affect priority conservation values, biodiversity values or their interests. We acknowledge the support for the Transport chapter as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.

507. Suzanne Hills (S443)<sup>215</sup> seeks that the Transport chapter is reviewed to enable a significant reduction in regional transport emissions. We consider that the proposed provisions support alternative modes of transport and the consolidation of development which will contribute to reduction in transport emissions.

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<sup>213</sup> S581.012

<sup>214</sup> S602.036

<sup>215</sup> S443.016

508. Rocky Mining Limited (S474)<sup>216</sup> and Papahaua Resources Limited (S500)<sup>217</sup> seek the recognition of the importance of efficient and effective use and operation of the transport network. We consider that objective TRN-O1 affords appropriate recognition of the transport network.
509. Foodstuffs (S464)<sup>218</sup> and Martin & Co Westport Ltd and Lumberland Building Market Westport (FS140)<sup>219</sup> seek that the Transport chapter remove the emphasis on amenity. We do not support the relief sought given the pTTPP does not provide for amenity standards, we consider it is important for the Transport chapter to introduce amenity as this is an important consideration for transport and the experience of transport users.
510. Jane Neale (S262)<sup>220</sup> seeks that disability access be provided in all areas. We do not support the relief sought as disability access and parking is required in accordance with the Building Code.
511. KiwiRail (S442) seeks the Transport chapter include a series of new rules, standards and figures to protect the sightlines of railway level crossings. We agree that railway level crossings need to be considered in relation to sightlines and design, however, insufficient technical evidence and s32 evaluation has been provided to support the relief sought. We would welcome KiwiRail to provide further evidence to support this submission request.

## 8.2.2 Key Issue 2: Definitions

### Overview

Provision(s)	Officer Recommendation(s)
Part 1: Definitions – Ngā Tautuhinga: land transport corridor	Insert a new definition for 'land transport corridor': <u><i>means a defined spatial area that will contain either:</i></u>  <u><i>(1) a road; or</i></u> <u><i>(2) railway line (as defined in section 4 of the Railways Act) is constructed, along with any adjacent land that is held or used in connection with operating a railway on that railway line.</i></u>

<sup>216</sup> S474.030

<sup>217</sup> S500.019

<sup>218</sup> S464.005

<sup>219</sup> FS62.018

<sup>220</sup> S262.006

## Analysis of Submissions on Key Issue 2 – Definitions

512. BDC (S538)<sup>221</sup> seek a definition be provided for 'transport corridor'. We agree that a definition for transport corridor should be provided as, in our opinion, this is a term used across several standards and therefore it needs to be clearly defined in its extent. We have recommended it be referred to as 'land transport corridor' to be consistent with the pTTPP and ensure that it is not confused with coastal transport.

513. Waka Kotahi (S450)<sup>222</sup> support the definitions of 'heavy vehicle' and 'vehicle crossing' as notified.

514. KiwiRail (S442)<sup>223</sup> seek a definition be provided for 'transport network' as follows:

*means all rail, public roads, public pedestrian, cycle and micro-mobility facilities, public transport and associated infrastructure.*

In our opinion, it is not necessary to provide a definition of 'transport network', as we consider this is appropriately summarised in the overview of the Transport chapter.

## 8.2.3 Key Issue 3: Overview

### Overview

Provision(s)	Officer Recommendation(s)
Overview, paragraph 7	Amend bullet point 6 of paragraph 7 as follows:  <i><b>Overlay Chapters</b> - the Overlay Chapters have provisions in relation to Sites and Areas of Significance to Māori; <u>Historic Heritage</u>; Ecosystems and Indigenous Biodiversity; Natural Features and Landscape; Natural Character and Margins of Waterbodies; Natural Hazards; and the Coastal Environment.</i>

### Analysis of Submissions on Key Issue 3 – Overview

515. There were numerous submitters<sup>224</sup> who submitted on the strategic overview.

516. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)<sup>225</sup> support the strategic overview as notified. We acknowledge the support of

<sup>221</sup> S538.005, S538.072

<sup>222</sup> S450.004, S450.010

<sup>223</sup> S442.014

<sup>224</sup> S140.012, S190.113, S439.013, S560.466, S560.467, S560.468, S560.469, S608.009, S608.537, FS41.3, FS230.0374, FS230.0435

<sup>225</sup> S190.113

the strategic overview and support it as notified, with the exception of a minor amendment as outlined below.

517. HNZPT (S140) seek the 'Other relevant Te Tai o Poutini Plan provisions' be amended to provide for historic heritage under Overlay Chapters. We support the relief sought and agree that this amendment will ensure consistency across the pTTPP.

518. Karen Lippiatt (S439) seeks paragraph 1 be amended to provide more emphasis on active transport as follows:

*The West Coast/Te Tai o Poutini has an extensive road and rail network with a growing number of [active transport networks \(shared pathways\)](#).*

We consider that the relief sought will alter the scope and intent of the overview and do not support the amendment.

519. Forest & Bird (S560)<sup>226</sup> seek the deletion of the first sentence of paragraph 2 and clarification of the relationship between the Transport chapter and other chapters. They consider the scope and relationship of the Transport chapter to other chapters is unclear. We oppose the relief sought as we consider that the Overview, particularly the "Other relevant Te Tai o Poutini Plan Provisions" section provide sufficient clarity of the relationship between chapters.

520. GDC (S608)<sup>227</sup> and Te Runanga o Ngati Waewae, Te Runanga o Makaawhiio and Te Runanga o Ngai Tahu (FS41) seek the performance standards remove reference to 'Site or Area of Significance to Māori' as the overlay is sought to be removed with sites reassessed. The Site and Areas of Significance to Māori chapter manages effects of activities in proximity to Sites and Areas of Significance to Māori, we therefore consider that it is appropriate to remove the reference within the Transport chapter.

521. GDC (S608)<sup>228</sup> seek clarification on how the wording corresponds to standard best practice in the planning sector. We would however welcome GDC to provide further information through evidence to support the relief sought.

## 8.2.4 Key Issue 4: Transport Objectives

### Overview

Provision(s)	Officer Recommendation(s)
TRN-O1	Retain TRN-O1 as notified

<sup>226</sup> S560.170

<sup>227</sup> S608.009

<sup>228</sup> S608.010



TRN-O2	Amend TRN-O2 as follows:  <i>To <del>manage the effects</del> <u>provide for the safe and efficient operation</u> of land transport infrastructure <del>on the character, landscape and amenity of the towns, settlements and rural areas</del> and minimise adverse effects on the environment.</i>
TRN-O3	Amend TRN-O3 as follows:  <i>To enable accessibility, safety and connectivity of land transport infrastructure and <del>consider</del> <u>to provide for</u> the amenity of all transport users, including pedestrians and cyclists.</i>
TRN-O4	Retain TRN-O4 as notified
TRN-O5	Retain TRN-O5 as notified
TRN-OXX	Insertion of a new objective as follows:  <i><u>Land transport corridors and land transport infrastructure are protected from incompatible land use activities and subdivision development.</u></i>

#### **Analysis of Submissions on Key Issue 4 – Transport Objectives**

522. There were numerous submitters<sup>229</sup> who submitted on the Transport objectives collectively. Several submitters (S181, S558, S563, S564, S566, S567, S574 & S577) support the Transport objectives as notified. We acknowledge the support for the Transport Objectives as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.

#### **TRN-O1**

523. There were numerous submitters<sup>230</sup> who submitted on TRN-O1.

524. Several submitters (S190, S442, S450, S464, S614 & S615) support TRN-O1 as notified. We acknowledge the support for TRN-O1 and recommend to retain TRN-O1 as notified.

525. TiGa Minerals and Metals Limited (S493), WMS Group (HQ) Limited and WMS

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<sup>229</sup> S181.003, S493.025, S538.068, S558.718, S563.005, S564.008, S566.718, S567.075, S574.718, S577.008, S599.029, S601.023

<sup>230</sup> S190.114, S442.032, S450.034, S464.039, S493.026, S599.002, S599.030, S608.524, S614.020, S615.020, FS68.011, FS72.011, FS144.011, FS147.011, FS218.013,

Land Co. Limited (S599) and Birchfield Coal Mines Ltd (S601)<sup>231</sup> seek TRN-O1 is retained but moved to 'Connections and Resilience' under the Strategic Directions chapter, as the pTTPP must recognise the critical role of transport infrastructure. Katherine Cook (FS68)<sup>232</sup> and Mike Spruce (FS218)<sup>233</sup> oppose the relief sought by TiGa Minerals and Metals Limited.

526. Several further submitters (FS68, FS72, FS147, FS218 and FS144) oppose this amendment as overlays are an important and essential sustainable management tool and ensure compliance to higher order statutory instruments. We do not support the relief sought to move TRN-O1 and in our opinion CR-O1 – CR-O4 afford appropriate strategic direction and TRN-O1 refines this for the purpose of the Transport chapter.

## **TRN-O2**

527. There were numerous submitters<sup>234</sup> who submitted on TRN-O2.
528. Several submitters (S65, S190, S614 & S615) support TRN-O2 as notified. We acknowledge the support for TRN-O2 as notified, however we have recommended amendments in response to submissions as outlined below.
529. Waka Kotahi (S450) seek to replace 'minimise' with 'manage' as minimise can be interpreted in a way that would be a disproportionately onerous requirement to manage adverse effects. We do not support the relief sought as it would be inconsistent with the recommendations provided for the equivalent objectives in the Energy and Infrastructure chapters. In our opinion 'minimise' provides greater certainty and is consistent with the approach taken throughout pTTPP.
530. Foodstuffs (S464) and Martin & Co Westport Ltd and Lumberland Building Market Westport (FS140) seek the deletion of TRN-O2 or amendment as follows:

*To provide for the safe and efficient operation of the land transport infrastructure, while managing adverse effects on the surrounding environment.*

We do not support the relief sought as it would be inconsistent with the recommendations provided for the equivalent objectives in the Energy and Infrastructure chapters. In our opinion 'minimise' provides greater certainty and is consistent with the approach taken throughout pTTPP. We do support the amendment of TRN-O2 as the current wording of the objective aligns with the methods outlined in

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<sup>231</sup> S493.026, S599.030, S601.024

<sup>232</sup> FS68.011

<sup>233</sup> FS218.013

<sup>234</sup> S65.002, S190.115, S450.035, S464.040, S493.027, S560.172, S599.031, S601.025, S608.025, S614.021, S615.021, FS140.019

the RPS, to provide for safe and efficient operation of regionally significant infrastructure, including land transport infrastructure.

531. TiGa Minerals and Metals Limited (S493), WMS Group (HQ) Limited and WMS Land Co. Limited (S599) and Birchfield Coal Mines Ltd (S601) seek the deletion of TRN-O2 or amendment as follows:

*To ~~manage the effects~~ provide for the safe and efficient operation of land transport infrastructure ~~on the character, landscape and amenity of the towns, settlements and rural areas and minimise~~ while managing adverse effects on the surrounding environment.*

Annie Inwood (FS147)<sup>235</sup>, Suzanne Hill (FS72)<sup>236</sup>, Marie Elder (FS77)<sup>237</sup>, and Melissa McLuskie (FS144)<sup>238</sup> We do not support the relief sought as it would be inconsistent with the recommendations provided for the equivalent objectives in the Energy and Infrastructure chapters. In our opinion 'minimise' provides greater certainty and is consistent with the approach taken throughout pTTPP. We do support the amendment of TRN-O2 as the current wording of the objective aligns with the methods outlined in the RPS, to provide for safe and efficient operation of regionally significant infrastructure, including land transport infrastructure.

532. Two submitters sought the replacement of 'minimise' with alternative wording. Forest & Bird (S560) sought 'avoid, remedy or mitigate in accordance with the Natural Environment and District Wide chapters of this Plan'. GDC sought 'mitigate'. We do not support the amendment of TRN-O2 to replace 'minimise' with 'avoid, remedy or mitigate' as we have the opinion that 'avoid, remedy or mitigate' is too general for an objective. Further, it would be inconsistent with the recommendations provided for the equivalent objectives in the Energy and Infrastructure chapters. In our opinion 'minimise' provides greater certainty and is consistent with the approach taken throughout pTTPP.

### **TRN-03**

533. There were numerous submitters<sup>239</sup> who submitted on TRN-O3.  
534. Several submitters (S65, S190, S442, S450, S456, S608, S614 & S615) support

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<sup>235</sup> FS147.005

<sup>236</sup> FS72.005

<sup>237</sup> FS77.14

<sup>238</sup> FS144.005

<sup>239</sup> S65.003, S190.116, S274.002, S439.014, S442.033, S450.036, S456.006, S464.005, S464.041, S493.028, S500.020, S599.032, S601.026, S608.526, S614.022, S615.022, FS53.10, FS68.012, FS72.012, FS147.012, FS140.020, FS218.014

TRN-O3 as notified. We acknowledge the support for TRN-O3 as notified, however we have recommended amendments in response to submissions as outlined below.

535. Herenga ā Nuku Aotearoa Outdoor Access Commission (S274) seek TRN-O3 be amended to ensure accessibility, safety, connectivity and amenity is provided for all transport users, rather than giving less importance to cyclists and pedestrians and only providing for amenity. We do not support the relief sought as the current wording of TRN-O3 is not considered to give less importance to cyclists and pedestrians, rather we consider it does the opposite and highlights their importance as they are specifically mentioned.

536. Karen Lippiatt (S439) and Herenga ā Nuku Aotearoa, Outdoor Access Commission (FS53) seek TRN-O3 be amended to replace 'consider' with 'provide for', as more emphasis is required on active transport. We support the relief sought as this would strength the amenity requirement within the Transport chapter, as the pTTPP does not provide for amenity standards. In addition, s7 of Part 2 of the RMA provides for amenity.

537. Several submitters (S464, S493, S500, S599, S601 & FS140) seek TRN-O3 be amended to remove reference to amenity effects as it is considered inappropriate to introduce the requirement to consider amenity effects in relation to land transport infrastructure. Several further submitters (FS68, FS72, FS147, FS218 and FS144) oppose this amendment as overlays are an important and essential sustainable management tool and ensure compliance to higher order statutory instruments. We do not support the relief sought by S464, S493, S500, S599, S601 and FS140, given the pTTPP does not provide for amenity standards, we consider it is important for the Transport chapter to introduce amenity as this is an important consideration for transport and the experience of transport users. This objective would be redundant without this provision and simply be a duplication of TRN-O2. In addition, s7 of Part 2 of the RMA provides for amenity.

#### **TRN-O4**

538. There were seven submitters<sup>240</sup> who submitted in support of TRN-O4 as notified. The reasons provided include:

- Improved resilience to hazards and climate change has good public health outcomes for people and communities;
- Encourages a resilient transport network to natural hazards and climate change; and
- Recognises provision of emergency and core infrastructure services.

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<sup>240</sup> S190.117, S442.034, S450.037, S608.527, S612.016, S614.023, S615.023

We acknowledge the support for TRN-O4 and recommend to retain TRN-O4 as notified.

**TRN-O5**

539. There were six submitters who submitted in support of TRN-O5 as notified.

The reasons provided include:

- Provision for safe and efficient access;
- Ensures safe and efficient parking, loading and access consistent with the zoning; and
- Encourages discussions between developers and Council to ensure that the potential impacts on Council infrastructure are taken into account.

We acknowledge the support for TRN-O5 and recommend to retain TRN-O5 as notified.

**New Objectives**

540. TiGa Minerals and Metals Limited (S493), WMS Group (HQ) Limited and WMS Land Co. Limited (S599) and Birchfield Coal Mines Ltd (S601)<sup>241</sup> seek an additional two objectives be provided, to give effect to the RPS, as follows:

*To provide for the safe, effective and efficient operation and use of land transport infrastructure to enable the movement of goods and people across the region.*

*Land transport corridors and land transport infrastructure are protected from incompatible land use activities and subdivision development, where these are defined as critical infrastructure.*

Annie Inwood (FS147)<sup>242</sup>, Suzanne Hill (FS72)<sup>243</sup>, and Melissa McLuskie (FS144)<sup>244</sup> oppose the submission. We do not support the first proposed new objective as this is appropriately addressed within the notified objectives. We support the second new objective as this ensures consistency across the Energy, Infrastructure and Transport chapters (ENG-O3 and INF-O3), as we consider it is appropriate to provide an objective related to reverse sensitivity.

**8.2.5 Key Issue 5: Transport Policies**

**Overview**

<b>Provision(s)</b>	<b>Officer Recommendation(s)</b>
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<sup>241</sup> S493.025, S599.029, S601.023

<sup>242</sup> FS127.020, FS147.003

<sup>243</sup> FS72.020

<sup>244</sup> FS144.018, FS144.021

TRN-P1	<p>Amend TRN-P1 as follows:</p> <p><i>The road and rail <u>transport</u> networks shall;</i></p> <ul style="list-style-type: none"> <li><i>a. Be maintained or enhanced to provide safe and efficient transportation;</i></li> <li><i>b. Consider the needs of all transport users and modes of transport; <del>and</del></i></li> <li><i>c. Minimise effects on adjoining properties including the impacts of vibration, noise and glare; <u>and</u></i></li> <li><i>d. <u>Recognise the different functions and design requirements for each road classification under the most current National Transport Network classification system.</u></i></li> </ul>
TRN-P2	<p>Amend TRN-P2 as follows:</p> <p><i>Vehicle crossings and associated access will;</i></p> <ul style="list-style-type: none"> <li><i>a. Be designed and located to provide for safe, effective and efficient movement to and from sites;</i></li> <li><i>b. <del>Minimise</del> <u>Mitigate</u> potential conflicts between vehicles, pedestrians and cyclists on the adjacent road network; and</i></li> <li><i>c. Manage <u>separation of</u> vehicle access to and from sites adjacent to intersections, <u>rail level crossings</u>, and where State Highways meet.</i></li> </ul>
TRN-P3	Retain TRN-P3 as notified
TRN-P4	<p>Amend TRN-P4 as follows:</p> <p><del><i>Ensure any new road</i></del> <u>Road</u> and pedestrian rail level crossings <del><i>carefully consider</i></del> <u>ensure</u> the safety of road users, pedestrians, and the effective and efficient operation of the regions rail network.</p>
TRN-P5	Retain TRN-P5 as notified
TRN-P6	Retain TRN-P6 as notified
TRN-P7	<p>Amend TRN-P7 to include an additional point as follows:</p> <p><u><i>Providing for connectivity within, between and across subdivisions and communities.</i></u></p>
TRN-P8	Amend TRN-P8 to delete clause (c)

TRN-P9	Retain TRN-P9 as notified
TRN-PXX	Insert a new policy as follows: <i><u>Recognise and provide for the function of land transport infrastructure to ensure the safe and efficient movement of people and goods.</u></i>
TRN-PXX	Insert a new policy as follows: <i><u>Only allow high traffic generating activities where these activities support the safe, efficient and effective use of transport infrastructure, as demonstrated through an integrated transport assessment (ITA). All ITAs should be completed by a suitably qualified and experienced transport professional.</u></i>

### **Analysis of Submissions on Key Issue 5 – Transport Policies**

541. There were nine submitters<sup>245</sup> who submitted on the Transport policies collectively. Several submitters (S558, S566, S567 & S574) support the Transport policies as notified. We acknowledge the support for the Transport Policies as notified, however we have recommended amendments in response to submissions as outlined in the subsequent sections.

#### **TRN-P1**

542. There were numerous submitters<sup>246</sup> who submitted on TRN-P1.

543. Several submitters (S65, S190, S442 & S456) support TRN-P1 as notified. We acknowledge the support for TRN-P1 as notified, however we have recommended amendments in response to submissions as outlined below.

544. BDC (S538) and Waka Kotahi (FS62) seek TRN-P1 be amended to recognise road classifications, as follows:

*The road and rail transport networks shall;*

- a. Be maintained or enhanced to provide safe and efficient transportation;*
- b. Consider the needs of all transport users and modes of transport; ~~and~~*
- c. Minimise effects on adjoining properties including the impacts of vibration, noise and glare; and*
- d. Recognise the different functions and design requirements for each road*

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<sup>245</sup> S181.003, S493.029, S538.068, S538.069, S558.719, S566.719, S567.076, S574.719, S599.033, S601.027, S613.012

<sup>246</sup> S65.004, S190.119, S442.036, S450.039, S456.007, S464.042, S493.030, S599.034, S601.028, S608.529, FS62.003

*classification under the most current National Transport Network classification system.*

We accept the relief sought as in our opinion it provides for consistent wording throughout the pTTPP. Further, we agree that the inclusion of the reference to the classification system is appropriate as there is no policy direction supporting this within the performance standards.

545. Two submitters (S450 & S608) seek TRN-P1 be amended to replace '*minimise*' with '*mitigate*' to align with TRN-O2, as mitigate is considered more appropriate in the management of adverse effects. We do not support the relief sought as minimising effects is considered appropriate to give effect to TRN-O2.

546. Several submitters (S464, S493, S599 & S601) seek the deletion of clause (c) from TRN-O2 as it provides for amenity which is not considered relevant to land transport infrastructure (see 530). Several submitters<sup>247</sup> do not support the relief sought. We do not support the relief sought by S464, S493, S599 and S601, as we consider it is important for the Transport chapter to introduce amenity given the pTTPP does not provide for amenity standards elsewhere. In our opinion, amenity is an important consideration for transport and the experience of transport users. In addition, given the recommendation for TRN-O3, we consider it is appropriate to include amenity effects to give effect to this objective.

### **TRN-P2**

547. There were four submitters<sup>248</sup> who submitted on TRN-P2.

548. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) and GDC (S608) support TRN-P2 as notified. We acknowledge the support for TRN-P2 as notified, however we have recommended amendments in response to submissions as outlined below.

549. KiwiRail (S442) seek TRN-P2 be amended to include '*rail level crossings*' to ensure that rail level crossings are a consideration in addition to intersections and state highways. We agree that TRN-P2 should include provision for rail, particularly given the wording of TRN-P3 which specifically provides for rail level crossings.

550. Waka Kotahi (S450) seek TRN-P2 be amended to delete clause (c) as it is considered that it achieves similar outcomes to clause (a) and results in repetition. We agree that clause (c) does duplicate clause (a), but is more refined, hence we recommend the amendment of the wording of clause (c) to remove duplication.

### **TRN-P3**

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<sup>247</sup> FS72.003, FS72.007, FS72.022, FS77.16, FS144.007, FS144.023, FS147.007, FS147.022,

<sup>248</sup> S190.120, S442.037, S450.040, S608.530



551. There were four submitters<sup>249</sup> who submitted on TRN-P3.
552. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190), Waka Kotahi (S450) and GDC (S608) support TRN-P3 as notified. We acknowledge the support for TRN-P3 and recommend to retain TRN-P3 as notified.
553. KiwiRail (S442) seek TRN-P3 be amended to ensure buildings, structures, planting or other visual obstructions are restricted within sightlines of rail level crossings as follows:

*Maximise user safety at road and rail level crossings by ~~considering the location of~~ restricting buildings, structures, planting and other visual obstructions within sightlines.*

We do not support the relief sought as the inclusion of 'restricting' is onerous in our opinion and there is a lack of section 32 support for KiwiRail to support this amendment. We also consider that structures and planting are already essentially caught by 'other visual obstructions', and therefore this amendment would be unnecessary.

#### **TRN-P4**

554. There were four submitters<sup>250</sup> who submitted on TRN-P4.
555. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190), Waka Kotahi (S450) and GDC (S608) support TRN-P4 as notified. We acknowledge the support for TRN-P4 as notified, however we have recommended amendments in response to submissions as outlined below.
556. KiwiRail (S442) seek TRN-P4 be amended to strengthen the wording and requirement to achieve safety at all rail crossings, not just at-grade level crossings, as follows:

*~~Ensure any new road~~ Road and pedestrian rail level crossings ~~carefully consider~~ must ensure the safety of road users, pedestrians, and the effective and efficient operation of the regions rail network.*

We agree that 'carefully consider' does not provide strong enough policy direction and the inclusion of 'ensure' improves the readability of the policy.

#### **TRN-P5**

557. There were five submitters<sup>251</sup> who submitted in support of TRN-P5 as notified.
- The reasons provided include:
- Control of vehicle access to sites adjacent to all road/rail level crossings to improve

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<sup>249</sup> S190.121, S442.038, S450.041, S608.531

<sup>250</sup> S190.122, S442.039, S450.042, S608.532

<sup>251</sup> S65.005, S190.123, S442.040, S450.043, S608.533

safety for all users;

- Promotes safety by controlling vehicle access to sites adjacent to all road/rail level crossings; and
- Encourages discussions between developers and Council to ensure that potential impacts on Council infrastructure are taken into account.

We acknowledge the support for TRN-P5 and recommend to retain TRN-P5 as notified.

### **TRN-P6**

558. There were four submitters<sup>252</sup> who submitted in support of TRN-P6 as notified.

We acknowledge the support for TRN-P6 and recommend to retain TRN-P6 as notified.

### **TRN-P7**

559. There were six submitters<sup>253</sup> who submitted on TRN-P7.

560. Several submitters (S65, S190, S439 and S608) support TRN-P7 as notified.

We acknowledge the support for TRN-P7 as notified, however we have recommended amendments in response to submissions as outlined below.

561. Herenga ā Nuku Aotearoa Outdoor Access Commission (S274) seek TRN-P7 be amended to provide an additional clause to support increased cycling and walking, as follows:

*[Providing for connectivity within, between and across subdivisions and communities.](#)*

We support the relief sought and, in our opinion, this would align with the NPSUD which seeks to provide for connectivity, specifically of active mode networks, within new development.

562. Waka Kotahi (S450)<sup>254</sup> recommend the review of rules and standards relating to cycle parking facilities to provide better alignment with TRN-P7. We agree that the standards relating to cycle parking facilities are unclear, particularly TRN Table 5. As a result of submission S538.088, discussed in Section 8.2.1 of this report, the heading of TRN Table 5 has been amended which should provide clarity.

### **TRN-P8**

563. There were numerous submitters<sup>255</sup> who submitted in support of TRN-P8 as notified. We acknowledge the support for TRN-P8 and recommend to retain TRN-P8

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<sup>252</sup> S65.006, S190.124, S450.044, S613.012

<sup>253</sup> S65.007, S190.125, S274.007, S439.015, S608.534

<sup>254</sup> S450.045

<sup>255</sup> S65.008, S190.126, S450.046, S456.008, S558.727, S566.727, S567.084, S574.727, S608.535, S613.012

as notified.

564. Waka Kotahi (S450) seek TRN-P8 be amended to delete clause (c) as it repeats (b). We agree that there is duplication across clauses (b) and (c) and therefore recommend (c) be deleted.

### **TRN-P9**

565. There were four submitters<sup>256</sup> who submitted in support of TRN-P9. We acknowledge the support for TRN-P9 and recommend to retain TRN-P9 as notified.

### **New Policy**

566. TiGa Minerals and Metals Limited (S493)<sup>257</sup>, WMS Group (HQ) Limited and WMS Land Co. Limited (S599) and Birchfield Coal Mines Ltd (S601) seek the insertion of a new policy to protect and enable vital land transport links, as follows:

*Recognise, protect and enable the function of land transport infrastructure to ensure the safe and efficient movement of people and goods.*

Annie Inwood (FS147), Suzanne Hill (FS72), and Melissa McLuskie (FS144) do not support the relief sought. We do not support the inclusion of the relief sought as in our opinion these matters are appropriately addressed within the notified objectives and policies.

567. Waka Kotahi (S450)<sup>258</sup> seek the insertion of a new policy to reflect the high trip generating standards, as follows:

*TRN-PX High Trip Generating Activities Transport Assessment requirements:*

- (1) Whether the provision of access and on-site manoeuvring areas associated with the activity, including vehicle loading and servicing deliveries, affects the safety, efficiency, accessibility (including for people whose mobility is restricted) of the site, and the land transport network.*
- (2) Whether the design and layout of the proposed activity maximises opportunities for travel other than private cars, including by providing safe and convenient access for travel using more active modes.*
- (3) Having regard to the level of additional traffic generated by the activity and whether measures are proposed to adequately mitigate the actual or potential effects from the anticipated trip generation (for all transport modes) from the proposed activity, including consideration of cumulative effects with other activities in the vicinity, proposed*

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<sup>256</sup> S190.127, S450.047, S456.009, S608.536

<sup>257</sup> S493.029

<sup>258</sup> S450.048

*infrastructure and construction work associated with the activity.*

*(4) Whether there are any effects from the anticipated trip generation and how they are to be mitigated where activities will generate more than 250hvm/d.*

Foodstuffs (FS107)<sup>259</sup> oppose this submission in part unless they appropriately recognise activities (such as supermarkets) which have operational and functional needs, and where customers require the use of a vehicle for shopping. BDC (FS149)<sup>260</sup> agree with Waka Kotahi that the policy framework does not specifically address High Trip Generating Activities, however, adopting TRN-S14 is not appropriate and a specific policy should be developed. We agree that the Transport chapter has not appropriately provided a policy for high trip generation. We agree that the pTTPP should deal with high trip generation, however, we do not support the proposed wording provided. The proposed wording would more appropriately be an assessment criteria and repeats TRN-R14, therefore we would recommend alternative wording. In addition to the new policy, we recommend the inclusion of the above assessment criteria (TRN S14) in TRN-R12.

## 8.2.6 Key Issue 6: Transport Standards

### Overview

Provision(s)	Officer Recommendation(s)
Advice Note 2	Amend Advice Note 2 as follows:  <i><u>A road works permit is required from the relevant District Council prior to w</u>Works undertaken in a road reserve / transport corridor or areas subject to a District Council designation <del>also require road opening approval from the relevant District Council.</del></i>
TRN-R1	Amend TRN-R1 as follows:  <i>(2) Parking, loading, queuing and standing standards - TRN Tables 4 - 5, Standards TRN S4 - S6 <u>and TRN S12,</u> and TRN Figures 2 and 3 are complied with;</i>
TRN-R2	Amend TRN-R2 as follows:  <i>TRN-R2: <del>Land transport operation, removal, repairs and maintenance</del></i>

<sup>259</sup> FS107.001

<sup>260</sup> FS149.003

	<p><del>within a road reserve / transport corridor or an area subject to designation.</del> <u>Maintenance or upgrading of existing transport infrastructure within the existing transport corridor</u></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p>(1) All performance standards in Rule TRN - R1 are complied with; and</p> <p>(2) The works are undertaken:</p> <p>a. By, or on behalf of, a road controlling authority; or</p> <p>b. In accordance with a subdivision consent; <del>or</del></p> <p>c. <del>By a requiring authority in accordance with a designation listing in this Plan.</del></p>
TRN-R3	<p>Amend TRN-R3 as follows:</p> <p>a. By, or on behalf of, a road controlling authority; or</p> <p>b. In accordance with an approved subdivision consent; <del>or</del></p> <p>c. <del>By a requiring authority in accordance with a designation listed in this Plan.</del></p>
TRN-R4	Delete TRN-R4
TRN-R5	Retain TRN-R5 as notified
TRN-R6	<p>Amend TRN-R6 as follows:</p> <p><del>TRN-R6: Establishment of e-bike and e-vehicle charging stations in the transport corridor</del></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p>(1) All performance standards in Rule TRN - R1 are complied with; and</p> <p>(2) These are not more than 2m in height and 10m<sup>2</sup> in area.</p> <p><i>Advice Note: If within the legal road reserve, contact the appropriate <del>land transport</del> road authority to obtain a license to occupy.</i></p>
New Standard (Permitted)	<p>Insertion of a new standard as follows:</p> <p><u>TRN-RX: Trip Generation Activities</u></p>

Activity)	<u>Activity Status Permitted</u>
TRN-R7	<p>Amend TRN-R7 as follows:</p> <p><i>TRN-R7: Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing and standing spaces not meeting Permitted Activity standards</i></p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. The impact on other road users including pedestrians;</i></li> <li><i>b. Effects on the safety and efficiency of the transport system;</i></li> <li><i>c. The ability to safely and effectively park, load, queue; and</i></li> <li><i>d. Any requirements for <del>flood</del> <u>future natural</u> hazard mitigation;</i> <i>and</i></li> <li><i>e. Stormwater treatment and control;</i></li> <li><i>f. <u>The location, size and design of accessways, vehicle crossings, parking and loading areas; and</u></i></li> <li><i>g. <u>The types of vehicle crossings serving the site, their intensity, the time of day the site is frequented and likely trip generation.</u></i></li> </ul>
TRN-R8	<p>Amend TRN-R8 as follows:</p> <p><i>TRN-R8: Land transport operation, removal, repairs and maintenance within a road reserve / transport corridor <del>or an area subject to a designation</del> not meeting Permitted Activity standards</i></p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Impacts during construction;</i></li> <li><i>b. <u>Outcome of consultation with the relevant road controlling authority;</u></i></li> <li><i>c. Any requirements for <del>flood</del> <u>future natural</u> hazard mitigation;</i></li> <li><i>d. Stormwater treatment and control.</i></li> </ul>
TRN-R9	<p>Amend TRN-R9 as follows:</p> <p><i>TRN-R9: Formation of unformed legal road not meeting Permitted Activity standards</i></p> <p><i>Activity Status Restricted Discretionary</i></p>

	<p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Effects on the safety and efficiency of the transport <del>system</del> <u>network</u>;</i></li> <li><i>b. <u>Impact on road controlling authority</u>;</i></li> <li><i>c. The ability for accessibility park users to safely and effectively park, enter and exit a vehicle;</i></li> <li><i>d. The impact on other road users including pedestrians;</i></li> <li><i>e. Any requirements for <del>flood</del> <u>future natural</u> hazard mitigation; and</i></li> <li><i>f. Stormwater treatment and control.</i></li> </ul>
TRN-R10	<p>Amend TRN-R10 as follows:</p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Visual impacts on landscapes <del>over 1000m above sea level</del>;</i></li> </ul>
TRN-R11	<p>Amend TRN-R11 as follows:</p> <p><i>TRN-R11: Establishing e-bike and e-vehicle charging stations <del>in the transport corridor</del> not meeting Permitted Activity standards</i></p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Effects on <u>safety and efficiency of the transport network</u>; and</i></li> <li><i>b. Outcome of consultation with the relevant <del>transport agency</del> <u>road controlling authority</u>.</i></li> </ul>
TRN-R12	<p>Amend TRN-R12 as follows:</p> <p><i>TRN-R12: High Trip generating transport activities</i></p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Where:</i></p> <p><i>This is the establishment of a new activity or the expansion of an existing activity <u>that exceeds the thresholds</u> listed in Table TRN 6 <del>that complies with Standard TRN S14</del>.</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. <u>The matters outlined in TRN S14 – High Trip Generating Activities Transport Assessment requirements</u>;</i></li> <li><i>b. Effects on the transport network <u>including whether the use or</u></i></li> </ul>

	<p><i><u>development compromise the safety and efficiency of the transport network; and</u></i></p> <p><i>c. <del>Effects and recommendations to minimise effects from the transport assessment</del> <u>Any recommendations in a transport assessment provided by a suitably qualified and experienced transport professional;</u></i></p> <p><i>d. <u>The extent to which vehicle access, parking and manoeuvring areas associated with the activity are provided; and</u></i></p> <p><i>e. <u>The nature of the activity and compatibility with the function and purpose of the underlying zone.</u></i></p>
TRN-R13	<p>Amend TRN-R13 as follows:</p> <p><i>TRN-R13: Formation of a new Transport Corridor <del>not meeting Permitted Activity standards</del></i></p> <p><i>Activity Status Discretionary</i></p> <p><i><del>Notification: Applications will always be publicly notified.</del></i></p>
TRN-R14	<p>Amend TRN-R14 as follows:</p> <p><i>TRN-R14: High Trip generating activities not meeting <u>Permitted or Restricted Discretionary Activity standards</u></i></p> <p><i>Activity Status Discretionary</i></p>

### **Analysis of Submissions on Key Issue 6 – Transport Standards**

568. Rocky Mining Limited (S474)<sup>261</sup> and Papahaua Resources Limited (S500)<sup>262</sup> submitted on the Transport standards collectively to seek any assessment of amenity effects caused by the use of the transport network be removed. We do not support the relief sought by S464, S493, S599 and S601, as we consider it is important for the Transport chapter to introduce amenity given the pTTPP does not provide for amenity standards elsewhere. In our opinion, amenity is an important consideration for transport and the experience of transport users. In addition, given the recommendation for TRN-O3, in our opinion it is appropriate to include amenity effects to give effect to this objective.

569. Forest & Bird (S560)<sup>263</sup> seek an additional standard be added to all Permitted

<sup>261</sup> S474.031

<sup>262</sup> S500.020

<sup>263</sup> S560.171, S560.173, S560.174, S560.175, S560.176, S560.177



Activities that requires adherence to standards in other chapters of the pTTPP, including ECO, NC, NFL and CE. We reject the amendment sought as specifying particular chapters of the pTTPP limits and restricts the assessment, while the pTTPP should be read in full. Further, the Transport chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

570. Forest & Bird (S560)<sup>264</sup> seek that restricted discretionary activities include an additional matter of discretion to allow for consideration of natural values, as follows:  
*adverse effects on natural values, including those not yet identified on overlays, and the requirement to manage those effects in accordance with the Natural Environment and District Wide chapters of this Plan.*

Te Runanga o Ngati Waewae, Te Runanga o Makaawhio and Te Runanga o Ngai Tahu (FS41)<sup>265</sup> support the matters of discretion in each rule including the values of any zones, overlays and District Wide chapters (including SASM). We reject the amendments sought as this would be inconsistent with the Transport objectives and policies, and the overall format of the pTTPP. Further, the Transport chapter overview provides guidance regarding other chapters to be read, therefore it would be a duplication to include it under specific standards.

571. KiwiRail (S442)<sup>266</sup> support the Advice Note advising plan users of the need to obtain approval from KiwiRail where any crossing will intersect with the rail corridor. We acknowledge this support.

572. BDC (S538)<sup>267</sup> seek Advice Note 2 be amended to replace *~~road opening~~* with *relevant road controlling* to alert plan users to the fact that additional approvals may be necessary for activities within the road reserve/transport corridor. We agree that this amendment will provide more certainty for plan users.

573. GDC (S608)<sup>268</sup> seek the Advice Notes be amended to ensure no ambiguity. Based on GDC's submission, the specific relief sought is considered to be limited to amending Advice Note 2 as follows:

*A road works permit is required prior to w~~Works undertaken in a road reserve / transport corridor or areas subject to a District Council designation~~~~also require road opening approval from the relevant District Council.~~*

We agree that Advice Note 2 could be clearer and we recommend it be amended,

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<sup>264</sup> S560.178, S560.179, S560.180, S560.181, S560.182, S560.183

<sup>265</sup> FS230.0364, FS230.0365, FS230.0366, FS230.0367, FS230.0368

<sup>266</sup> S442.041

<sup>267</sup> S538.070

<sup>268</sup> S608.538

however, in our opinion 'from the relevant District Council should be retained.

574. Ministry of Education (S456)<sup>269</sup> support TRN-T5 (Table 5) as notified. We acknowledge this support.

### **TRN-R1**

575. There were numerous submitters<sup>270</sup> who submitted on TRN-R1.

576. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support TRN-R1 as notified. We acknowledge the support for TRN-R1 as notified, however we have recommended amendments in response to submissions as outlined below.

577. Waka Kotahi (S450) and BDC (FS149) seek TRN-R1 be amended, through the inclusion of design standards, to ensure that clarity is provided to the outcomes sought for vehicle crossings that are consistent with stormwater guidelines and National Planning Standards. Submitters have not provided technical detail of what design standards are sought, and we welcome submitters providing such information in evidence.

578. BDC (S538) seek TRN-R1 be amended to address errors in cross referencing and provide for all new roads and upgrades to be formed in accordance with Council Engineering Standards, as follows:

*Where:*

- (1) Vehicle crossings and access way standards - TRN Tables 1 - 3, Standards TRN S1 - S3, and TRN Figure 1 are complied with;*
- (2) Parking, loading, queuing and standing standards - TRN Tables 4 - 5, Standards TRN S4 - S6 and TRN S12, and TRN Figures 2 and 3 are complied with;*
- (3) Manoeuvring standards TRN S7 - S11 are complied with;*
- ~~*(4) Where an impermeable carparking area greater than 1000m<sup>2</sup> in area is provided, stormwater treatment is provided; and*~~
- (5) ~~Formation~~Dimensional standards for right of ways~~TRN S12~~ and TRN S13 are complied with.*
- (6) All new roads and upgrades of existing roads shall be constructed in accordance with the relevant District Council Engineering Standards, or where no such Standard exists, NZS 4404:2010 Land Development and Subdivision Infrastructure.*

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<sup>269</sup> S456.013

<sup>270</sup> S190.128, S450.049, S538.071, S558.720, S560.173, S566.720, S567.077, S573.010, S574.720, S608.540, FS149.004

*Advice Note: The Auckland Design Manual Guideline Document GD-2017/01 Stormwater Management Devices in the Auckland Region provides information on best practice stormwater design options for stormwater treatment.*

We support the inclusion of 'TRN S12' as compliance with this standard is necessary as Clause 2 sets down the applicable parking, loading and queuing standards. We do not support the balance of the relief sought. The submitter seeks the deletion of clause (4) as TRN-S12 adequately covered stormwater controls. We agree with the submitter that clause 4 is a duplication of TRN-S12 although it is noted that the standard is missing what the stormwater treatment should be which is guided by the advice note. We consider that it is not appropriate to reference "relevant District Council Engineering Standards" when there is no certainty that standards exist or are current.

579. Several submitters (S558, S566, S567 & S574) seek TRN-R1 be amended to correct errors. We cannot respond to this amendment request as no specific relief was sought or reference to the errors, however, we have reviewed TRN-R1 and amended any errors we could identify.

580. GDC (S608) seeks that TRN-R1 ensure that it does not put unrealistic or unsuitable requirements in place, specifically with regard to the suitability of the Auckland Design Guide for Stormwater in relation to the local environment conditions and site constraints. We do not support the relief sought; GDC have not provided evidence to confirm that the Auckland Design Guide for Stormwater management will be unrealistic nor have the Council proposed an alternative guideline.

581. Fire and Emergency (S573)<sup>271</sup> oppose TRN-R1 in part where it requests to alter the minimum driveway width within standard S3 to allow for fire appliance access and the inclusion of an additional standard related to firefighting access. BDC (FS149)<sup>272</sup> support Fire and Emergency's submission to increase the minimum width of driveways from 3 metres to 3.5 metres to allow for fire appliance access. No amendment is sought by the submitter to TRN-R1. Based on the further submission from BDC, we agree that the minimum width of driveways should increase from 3 metres to 3.5 metres to allow for fire appliance access is appropriate.

## **TRN-R2**

582. There were numerous submitters<sup>273</sup> who submitted on TRN-R2.

583. Several submitters (S190, S558, S566, S567 & S574) support TRN-R2 as

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<sup>271</sup> S573.012

<sup>272</sup>

<sup>273</sup> S190.129, S450.050, S538.072, S558.722, S560.174, S566.722, S567.079, S574.722, S608.451, FS149.005

notified. We acknowledge the support for TRN-R2 as notified, however we have recommended amendments in response to submissions as outlined below.

584. Waka Kotahi (S450) and BDC (FS149) seek TRN-R2 be amended to delete references to designations as the effect of a designation is to provide for activities otherwise managed through the pTTPP. We agree that this is unnecessary duplication of functions and methods within both the heading and clause (2)(c) of TRN-R2.
585. BDC (S538) seek the heading of TRN-R2 be amended to simplify the wording to make it clear that it covers maintenance and repair of existing road corridor, as follows: '*Maintenance or upgrading of existing transport infrastructure within the existing transport corridor*'. We support the relief sought and, in our opinion, it ensures consistency in language between the Energy and Transport chapters.
586. GDC (S608) seeks that TRN-R2 ensures appropriate conditions can be applied to standard Council activities, as TRN-R12 puts significant and unnecessary limits on the activities that can be undertaken within the road corridor. This is based on the assumption that all roads are designated and land use activities are authorised in accordance with the designation. In our opinion there is no current provision that prohibits appropriate conditions being applied and this relief is no longer relevant given the removal of reference to designations.

### **TRN-R3**

587. There were numerous submitters<sup>274</sup> who submitted on TRN-R3.
588. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support TRN-R3 as notified. We acknowledge the support for TRN-R3 as notified, however we have recommended amendments as outlined below.
589. Waka Kotahi (S450) and BDC (FS149) seek an amendment to TRN-R3 to delete standard (2)(iii) as the effect of a designation is to provide for activities otherwise managed through the pTTPP. We agree that this is unnecessary duplication of functions and methods within both the heading and clause (c) of TRN-R3.
590. Several submitters (S558, S566, S567, S574 & FS1) seek TRN-R3 be amended to allow for works to be undertaken if written consent has been provided by the road controlling or requiring authority. We do not support the relief sought as third party approval is ultra vires and beyond the scope of the pTTPP.
591. GDC (S608) seeks that TRN-R3 ensures appropriate conditions can be applied to standard Council activities, as it puts significant and unnecessary limits on the activities that can be undertaken within the road corridor. This is based on the

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<sup>274</sup> S190.030, S450.051, S538.073, S538.074, S558.723, S558.724, S560.175, S566.723, S566.724, S567.080, S567.081, S574.723, S574.724, S608.542, FS1.383, FS1.385, FS149.006

assumption that all roads are designated and land use activities are authorised in accordance with the designation. In our opinion there is no current provision that prohibits appropriate conditions being applied and this relief is no longer relevant given the removal of reference to designations.

#### **TRN-R4**

592. There were five submitters<sup>275</sup> who submitted on TRN-R4.
593. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support TRN-R4 as notified. We acknowledge the support for TRN-R4 as notified, however we are recommending to delete TRN-R4.
594. Waka Kotahi (S450) seek the deletion of TRN-R4 and insertion as a new Discretionary Activity rule, as the effect of a designation is to provide for activities otherwise managed through the pTTPP. We agree with Waka Kotahi as this standard is a duplication, and have recommended a new Discretionary Activity standard be provided for any new transport corridor [this is provided for in TRN-R13]. In our opinion, this will provide appropriately for subdivision and development prior to the vesting of assets.
595. BDC (S538) seek TRN-R4 is amended to require all TRN-R1 performance standards are complied with as design standards for new transport corridors are required in accordance with Council's Engineering Standards. We agree with BDC that new transport corridors shall be in accordance with Council's Engineering Standards, however, as we have recommended the deletion of TRN-R4 this amendment is redundant.
596. GDC (S608) seeks that TRN-R4 ensures appropriate conditions can be applied to standard Council activities, as it puts significant and unnecessary limits on the activities that can be undertaken within the road corridor. This is based on the assumption that all roads are designated and land use activities are authorised in accordance with the designation. In our opinion there is no current provision that prohibits appropriate conditions being applied and this relief is no longer relevant given the removal of reference to designations.

#### **TRN-R5**

597. There were six submitters<sup>276</sup> who submitted on TRN-R5.
598. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) and Waka Kotahi (S450) support TRN-R5 as notified. We acknowledge the support for TRN-R5 and recommend to retain TRN-R5 as notified.

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<sup>275</sup> S190.131, S450.052, S538.075

<sup>276</sup> S190.132, S274.008, S439.016, S450.053, S538.076, S560.176, FS53.8

599. Herenga ā Nuku Aotearoa Outdoor Access Commission (S274) seek TRN-R5 be amended to include all legal roads. We do not support the relief sought as this would be limiting, where the current wording allows for a range of shared paths to be located in several public locations (not limited to legal roads). For example, any shared path within a reserve area would not be permitted.
600. Karen Lippiatt (S439) and Herenga ā Nuku Aotearoa, Outdoor Access Commission (FS53) seek TRN-R5 be amended to encourage active transport as follows: '*Establishment of active transport routes including shared pathways, including walkways, cycleways, and bridleways*'. We do not support the relief sought as active transport routes are not clearly defined in the pTTPP and this amendment would result in ambiguity. The current wording provides greater clarity for plan users.
601. BDC (S538) seek TRN-R5 be amended to limit the scope to tracks on unformed legal roads, esplanade reserves and strips, as follows: '*Establishment of shared pathways including cycleways and trails bridleways on public land unformed legal road, Esplanade Reserves and Strips*'. We do not support the relief sought as it results in further wording to provide examples of the types of activities which is unnecessary and results in length standard headings.

## **TRN-R6**

602. There were numerous submitters<sup>277</sup> on TRN-R6.
603. Several submitters (S190, S474, S558, S566, S567 & S574) support TRN-R6 as notified. We acknowledge the support for TRN-R6 as notified, however we have recommended amendments in response to submissions as outlined below.
604. Waka Kotahi (S450) and BDC (S538) seek the Advice Note of TRN-R6 be amended to replace '*land transport authority*' with '*road controlling authority*' to provide clarity. GDC (S608) seek consistency and clarity throughout pTTPP with regard to references to roading authorities. We support the relief sought and consider it will provide greater consistency of language, improving the readability of the plan.
605. Straterra (S536) seek TRN-R6 be amended to increase the number of heavy vehicle movements permitted, as 30 vehicle movements per day is unworkable and too low. In our opinion, Straterra have not provided sufficient technical evidence to support 30 vehicle movements per day being unworkable and no alternative number of heavy vehicle movements was provided. Without sufficient technical evidence, we do not support amending the heavy vehicle movements in TRN-R6 but welcome the submitter to provide further evidence in support of this request for consideration.

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<sup>277</sup> S190.133, S450.054, S474.023, S536.067, S538.077, S558.726, S560.177, S566.726, S567.083, S574.726, S608.544, S613.013

606. BDC (S538) seek TRN-R6 be amended to provide for electric charging locations beyond the transport corridor, as follows:

*Establishment of e-bike and e-vehicle charging stations ~~in the transport corridor~~*

*Activity Status Permitted*

*Where:*

- (1) All performance standards in Rule TRN – R1 are complied with; ~~and~~*
- (2) These are not more than 2m in height and 10m<sup>2</sup> in area; ~~and~~*
- (3) The electric vehicle charging station is installed in association with an existing, permitted or consented vehicle parking space/area.*

We support the amendment sought with regard to the heading of TRN-R6 as in our opinion it makes more sense and improves readability of the rule. However, we do not support the additional clause sought as we consider this is too limiting and provides unnecessary restrictions to the activity.

607. Fuel Companies (S613) seek TRN-R6 be amended to adopt the heading wording sought by BDC (see 606) and the deletion of clause (2) of the standard, as it considers it is important to have a clear Permitted Activity pathway to support the policy framework. We do not support the relief sought as clause (2) in our opinion ensures that charging stations remain of a size and scale that is consistent with other network utilities and seeks to maintain amenity, consequently reducing the opportunity for adverse effects.

## **TRN-R7**

608. There were numerous submitters<sup>278</sup> who submitted on TRN-R7.

609. Several submitters (S190, S450, S558, S566, S567, S574 & S612) support TRN-R7 as notified. We acknowledge the support for TRN-R7 as notified, however we have recommended amendments in response to submissions as outlined below.

610. BDC (S538) seek TRN-R7 be amended to ensure it provides for mitigation of all natural hazards, design and location considerations, and the number and intensity of vehicle movements associated with an activity, as follows:

- d. Any requirements for ~~flood~~ future natural hazard mitigation; and*
- e. ...*
- f. The location, size and design of accessways, vehicle crossings, parking and loading areas; and*
- g. The types of vehicles serving the site, their intensity, the time of day*

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<sup>278</sup> S190.134, S450.055, S538.079, S558.725, S560.178, S566.725, S567.082, S574.725, S608.545, S612.017, FS230.0364

*[the site is frequented and likely trip generation.](#)*

We support the inclusion of two additional clauses as proposed clause (f) is more directive than (c) and proposed clause (g) is more specific than clauses (a) and (b).

611. GDC (S608) seek more explicit wording as the impact on the road controlling authority and existing infrastructure is unclear. In our opinion, the current wording is explicit enough and additional guidance from GDC would need to be provided.

### **TRN-R8**

612. There were seven submitters<sup>279</sup> who submitted on TRN-R8.
613. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190), Waka Kotahi (S450) and Toka Tū Ake EQC (S612) support TRN-R8 as notified. We acknowledge the support for TRN-R8 as notified, however we have recommended amendments in response to submissions as outlined below.
614. BDC (S538) seek TRN-R8 be amended to clarify that it covers maintenance and repair of existing transport infrastructure within an existing road corridor, removes clause (a) as it refers to earthworks, and provides for all natural hazards, as follows:
- ~~*Land transport operation, removal, repairs and maintenance within a road reserve / transport corridor or an area subject to a designation not meeting Permitted Activity standards*~~
- Activity Status Restricted Discretionary*
- Discretion is restricted to:*
- ~~*a. Impacts during construction;*~~ *[Effects on the safe and efficient operation of the road;](#)*
  - b. Any requirements for ~~flood~~ [future natural](#) hazard mitigation;*
  - c. Stormwater treatment and control.*

We acknowledge that there is a consequential amendment to the heading of TRN-R8 as a result of the aforementioned removal of references to designation. We support the inclusion of an additional clause to consider effects of the safe and efficient operation of the road, however, we do not support the removal of consideration of impacts during construction as this would result in the loss of any assessment of effects during construction.

615. GDC (S608) seek TRN-R8 clarify what activities are expected to be provided as it is unclear. In our opinion, the current wording is explicit enough and additional guidance from GDC would need to be provided.

### **TRN-R9**

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<sup>279</sup> S190.135, S450.056, S538.080, S560.179, S608.546, S612.018, FS230.0365



616. There were numerous submitters<sup>280</sup> who submitted on TRN-R9.
617. Several submitters (S190, S450, S558, S566, S567, S574, S608 & S612) support TRN-R9 as notified. We acknowledge the support for TRN-R9 as notified, however we recommend amendments in response to submissions as outlined below.
618. BDC (S538) seek TRN-R9 be amended to delete '~~system~~' from clause (a) and provide for all future natural hazard mitigation, rather than limited to flood hazard mitigation. We agree with the removal of the word system from TRN-R9 as it creates confusion to the clause.
619. GDC (S608) seek TRN-R9 be more explicit as the impact on the road controlling authority and existing infrastructure is unclear and the matters of discretion are considered minimal. It was recommended to add design and suitability to the matters of discretion. We support the inclusion of an additional clause to address design and suitability in the assessment as we agree that these are relevant considerations and are currently missing from the assessment criteria.

### **TRN-R10**

620. There were numerous submitters<sup>281</sup> who submitted on TRN-R10.
621. Several submitters (S190, S456, S558, S566, S567, S574 & S608) support TRN-R10 as notified. We acknowledge the support for TRN-R10 as notified, however we recommended amendments in response to submissions as outlined below.
622. Karen Lippiatt (S439) seek TRN-R10 be amended to encourage active transport as follows: '~~Establishing~~ *Establishment of active transport routes including shared pathways, including walkways, cycleways, and bridleways not meeting Permitted Activity Standards*'. We do not support the relief sought as active transport routes are not clearly defined in the pTTPP and this amendment would result in ambiguity. The current wording provides greater clarity for plan users.
623. Buller Conservation Group (S552)<sup>282</sup> and Frida Inta (S553)<sup>283</sup> seek TRN-R10 be amended to replace '~~over 1000m above sea level~~' with '*above the treeline*' as treeline scarring is very obvious. New Zealand Energy Limited (FS127)<sup>284</sup> and

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<sup>280</sup> S190.136, S450.057, S538.081, S558.728, S560.180, S566.728, S567.085, S574.728, S608.547, S612.019, FS230.0366

<sup>281</sup> S190.137, S439.017, S456.010, S538.082, S558.729, S560.181, S566.729, S567.086, S574.729, S608.548, FS127.002, FS230.0309

<sup>282</sup> S552.044

<sup>283</sup> S553.044

<sup>284</sup> FS127.002

Westpower Limited (FS222)<sup>285</sup> oppose this submission and support the current wording. We do not support the relief sought as in our opinion it is unenforceable, however, we do support the removal of the reference to 'over 1000m above sea level' as we considered it to be unnecessary wording. If there were no trees, then the proposed wording would not allow for the standard to be enforced.

624. BDC (S538) and Te Runanga o Ngati Waewae, Te Runanga o Makaawhiio and Te Runanga o Ngai Tahu (FS41) seek TRN-R10 be amended to correspond with the Permitted Activity standard (TRN-R5) and to broaden the assessment considerations beyond visual impacts, as follows:

~~Establishing~~ Establishment of shared pathways including cycleways and trails  
~~bridleways on public land-unformed legal road, Esplanade Reserves and Strips~~ not meeting Permitted Activity standards

*Activity Status Restricted Discretionary*

*Discretion is restricted to:*

- a. ~~Visual impacts on landscapes over 1000m above sea level~~ Effects on cultural, heritage and natural environment values;
- b. *Effects on public access; and*
- c. *Effects on the transport network.*

We do not support the relief sought as the proposed amendment to the heading in our opinion would be limiting and the effects on cultural and natural environment values should be managed by the District Wide chapters and it is therefore unnecessary to repeat.

### **TRN-R11**

625. There were numerous submitters<sup>286</sup> who submitted on TRN-R11.
626. Several submitters (S190, S558, S566, S567, S574 & S608) support TRN-R11 as notified. We acknowledge the support for TRN-R11 as notified, however we have recommended amendments in response to submissions as outlined below.
627. BDC (S538) seek TRN-R11 be amended to correspond with the Permitted Activity standard (TRN-R6) and clause (b) is considered to be encompassed by clause (a) as follows:

*Establishing e-bike and e-vehicle charging stations* ~~in the transport corridor~~ *not meeting Permitted Activity standards*

*Activity Status Restricted Discretionary*

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<sup>285</sup> FS222.011, FS222.0122

<sup>286</sup> S190.138, S538.083, S558.730, S560.182, S566.730, S567.087, S574.730, S608.549, S613.014, FS230.0367

*Discretion is restricted to:*

- a: Effects on the safety and efficiency of the transport network; ~~and~~*
- ~~b:—Outcome of consultation with the relevant transport agency.~~*

We agree that the relief sought will improve efficiency and readability for plan users, however, we do not support the removal of clause (b) as in our opinion it is not captured by clause (a) as suggested by the submitter. Clause (a) requires an assessment of effects, whilst clause (b) requires an action to contact the relevant transport agency. We do recommend 'transport agency' be replaced with 'road authority' for consistency across the pTTPP.

628. Fuel Companies (S613) seek TRN-R11 be amended to adopt the heading wording sought by BDC (see 627) and the insertion of an additional matter as follows: 'Effects on amenity values', as it considers it is important to have a clear Permitted Activity pathway to support the policy framework. We consider that TRN-R11 gives effect to TRN-P6, not TRN-P9 which provides scope for consideration of amenity effects. Therefore, this amendment would be inconsistent with the policy framework and for this reason we do not support the relief sought.

## **TRN-R12**

629. There were numerous submitters<sup>287</sup> who submitted on TRN-R12.
630. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) and Ministry of Education (S456) support TRN-R12 as notified. We acknowledge the support for TRN-R12 as notified, we have recommended amendments in response to submissions as outlined below.
631. Suzanne Hills (S443) seek TRN-R12 consider cumulative effects from heavy vehicle movements. We do not support the relief sought as in our opinion consideration of heavy vehicle movements will be captured by clause (a) in TRN-R12.
632. Waka Kotahi (S450), TiGa Minerals and Metals Limited (FS104), WMS Group (HQ) Limited and WMS Land Co. Limited (FS231) and Birchfield Coal Mines Ltd (FS232) seek TRN-R12 be amended to ensure clarity on the activity status of the activity prior to lodgement of a resource consent application as there is no clear delineation between TRN-R12 and TRN-R14. In our opinion, there is a clear delineation between TRN-R12 and TRN-R14 as if the activity complies with TRN-S14 then it is a Restricted Discretionary Activity, if not, it is a Discretionary Activity under TRN-R14.
633. Bathurst Resources Limited and BT Mining Limited (S538) and BP Oil NZ Ltd, Mobil Oil NZ Ltd, Z Energy Ltd (FS64) and GDC (FS1) seek TRN-R12 be amended to

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<sup>287</sup> S190.139, S443.017, S450.058, S456.011, S491.010, S538.084, S560.183, S573.011, S608.550, FS1.165, FS64.008, FS104.012, FS230.0368, FS231.015, FS232.013

clarify heavy vehicle movements 'to and from' the site per day. We agree that the relief sought provides clarity, however, due to the amendments of other submissions on TRN-R12 this is no longer applicable.

634. BDC (S538) seek TRN-R12 be amended to state that it provides for activities exceeding the thresholds in Table TRN-6, as follows:

*Activity Status Restricted Discretionary*

*Where:*

*This is the establishment of a new activity or the expansion of an existing activity that exceeds the thresholds listed in Table TRN 6 ~~that complies with Standard TRN-S14.~~*

*Discretion is restricted to:*

- a. Effects on the transport network including whether the use or development compromise the safety and efficiency of the transport network; and*
- b. ~~Effects and recommendations to minimise effects from the transport assessment~~ Any recommendations in a transport assessment provided by a suitably qualified and experienced transport professional;*
- c. The extent to which vehicle access, parking and manoeuvring areas associated with the activity are provided; and*
- d. The nature of the activity and compatibility with the function and purpose of the underlying zone.*

This submission point is associated with the requested deletion of TRN-R14. We do not support the deletion of TRN-R14 as it provides for activities that do not comply with TRN-S14, however, we generally support the remainder of the relief sought as it provides clarity.

635. Fire and Emergency (S573) oppose TRN-R12 in part where it requests that emergency service facilities have no limit on traffic movements imposed. No amendment is sought by the submitter to TRN-R12. We agree that emergency service facilities shall not have a trigger and note to confirm that this excluded from Table TRN 6.

636. GDC (S608) seek an additional policy or rule be provided for 'high trip activities' as this is the first mention in the Transport chapter. We agree and have recommended a policy be provided.

### **TRN-R13**

637. There were eight submitters<sup>288</sup> who submitted on TRN-R13.
638. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support TRN-R13 as notified. We acknowledge the support for TRN-R12 as

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<sup>288</sup> S190.140, S450.059, S538.085, S558.731, S566.731, S567.088, S574.731, S608.551

notified, however we have recommended amendments in response to submissions as outlined below.

639. Several submitters (S538, S558, S566, S567 & S574) seek TRN-R13 be amended to delete the Notification Advice Note as there is concern regarding pre-determining the notification of an application. We agree that public notification is very onerous and would result in every subdivision creating a new road being vested to be notified, which will not necessarily be appropriate in every circumstance. Section 95 of the RMA appropriately provides for the assessment of public notification.

640. Waka Kotahi (S450) seek the heading of TRN-R13 be amended as follows: '*Formation of a new Transport Corridor ~~not meeting Permitted Activity standards~~*', as TRN-R4 is not required as a Permitted Activity. Based on amendments to TRN-R4, we agree with the relief sought as TRN-R4 has been deleted.

641. GDC (S608) seek TRN-R13 provide clarification on the requirements for Council when considering the creation of a new road, formed or unformed. This submission provides insufficient detail and evidence for us to recommend provisions in the Transport chapter, we encourage submitters to clarify in hearing evidence.

#### **TRN-R14**

642. There were seven submitters<sup>289</sup> who submitted on TRN-R14.

643. Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) support TRN-R14 as notified. We acknowledge the support for TRN-R12 as notified, however we have recommended amendments in response to submissions as outlined below.

644. BDC (S538), WMS Group (HQ) Limited and WMS Land Co. Limited (FS231) and Birchfield Coal Mines Ltd (FS232) seek the deletion of TRN-R14, as a result of their relief sought to TRN-R12. We do not support the deletion of TRN-R14 as we consider it provides for activities that do not comply with TRN-S14.

#### **New Standards**

645. BDC (S538)<sup>290</sup> seek the insertion of a new standard to provide for trip generation as a Permitted Activity where appropriate, as follows:

*[Trip Generation Activities](#)*

*[Activity Status: Permitted](#)*

*[Where:](#)*

*[\(1\) The activity complies with the thresholds listed in Table TRN-6.](#)*

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<sup>289</sup> S190.141, S538.086, S558.732, S566.732, S567.089, S574.732, FS104.013, FS231.016, FS232.014

<sup>290</sup> S538.078

We support the inclusion for a Permitted Activity standard for trip generation, however, the activities in Table TRN-6 are high trip generating activities. Based on this, we consider that these activities have potential adverse effects on the transport network and a Transport Assessment would be appropriately required. We recommend a Permitted Activity standard for activities not identified as High Trip Generating in Table TRN-6. We note this results in consequential amendments.

646. Waka Kotahi (S450)<sup>291</sup> seek the insertion of a new standard in the Transport chapter that requires resource consent for any new activity or change in land use where the activity will have direct access onto the State Highway network. Waka Kotahi seek that this be provided for as a Restricted Discretionary Activity with the safe and efficient operation of the State Highway network and traffic effects included as the matters of discretion. WMS Group (HQ) Limited and WMS Land Co. Limited (FS231)<sup>292</sup> and Birchfield Coal Mines Ltd (FS232)<sup>293</sup> oppose this submission as it is unnecessary, unconnected from adverse effects and is appropriate covered under the access and trip generator standards. BDC (FS149)<sup>294</sup> support the relief sought by Waka Kotahi in part, as they support a new standard but it should differentiate between activities using an existing vehicle crossing and a new vehicle crossing. GDC (FS1) oppose the relief sought by Waka Kotahi as a "catch-all" approach is considered unreasonable. Further, they consider there are many change of use activities that do not exacerbate effects likewise there are many new activities that have less than minor effects. We do not agree with the relief sought on the basis that we consider the high trip generating activity standards will address this matter. In our opinion, it is onerous to require resource consent as a Restricted Discretionary Activity for every activity gaining access from a road.

## 8.2.6 Key Issue 7: Appendix One: Transport Performance Standards

### Overview

Provision(s)	Officer Recommendation(s)
Appendix One: TRN S3 – Requirements for	Amend TRN S3 as follows:  <i>For all zones the minimum driveway width is <del>3m</del> 3.5m, and maximum gradient is 1:5.</i>

<sup>291</sup> S450.060

<sup>292</sup> FS231.014

<sup>293</sup> FS232.012

<sup>294</sup> FS149.007

Driveways	
Appendix One: TRN Tables 4 and 5	Amend the first heading of TRN Tables 4 and 5 as follows:  <i>'Total number of <u>vehicle</u> spaces provided'</i>
Appendix One: TRN S7	Reformat TRN S7.

### **Analysis of Submissions on Key Issue 7 – Appendix One: Transport Performance Standards**

647. WMS Group (HQ) Limited and WMS Land Co. Limited (S599)<sup>295</sup> support Appendix One: Transport Performance Standards as notified. KiwiRail (S442)<sup>296</sup> support TRN-S1 as notified. We acknowledge this support; however, we have recommended amendments in response to submissions as outlined in the subsequent sections.

648. GDC (S608)<sup>297</sup> seek that the standards with Appendix One: Transport Performance Standards be included within the Transport chapter, rather than a separate Appendix. We do not support this relief sought, as retaining the technical standards within the appendix is consistent with the pTTPP structure.

649. Several submitters (S516, S558, S566, S563, S564, S567, S574, S577, S614 & S615)<sup>298</sup> seeks Appendix One: Transport Performance Standards be amended to be less onerous, more consistent and correct errors. John Brazil (S360)<sup>299</sup> seek Appendix One: Transport Performance Standards be amended to be more enabling of development. We do not support the relief sought as specific references were not provided.

650. Rocky Mining Limited (S474)<sup>300</sup> support TRN-S14 as notified. We acknowledge the support of TRN-S14 as notified.

651. GDC (S608)<sup>301</sup> seeks TRN Tables 2 and 3 and TRN – S2 and TRN – S3 be

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<sup>295</sup> S599.158

<sup>296</sup> S442.042

<sup>297</sup> S608.845

<sup>298</sup> S516.160, S558.709, S558.721, S563.167, S564.176, S566.709, S566.721, S574.709, S574.721, S577.140, S614.233, S614.234, S614.235, S615.233, S615.234, S615.235

<sup>299</sup> S360.058

<sup>300</sup> S474.024

<sup>301</sup> S608.846, S608.847, S608.848, S608.849, S608.850, S608.851

retained as notified. In addition, GDC seeks Appendix One: Transport Performance Standards be amended as follows:

- TRN Table 3: amend or add a new table to recognise the local road accessway separation from the state highway;
- Include new Transport Standard for local road vehicle crossings requiring the approval of Councils Engineering Department.
- Include a new standard to require either vehicle crossing design or refer to GDC guidelines for vehicle crossings.

We note that TRN Table 3 applies to vehicle access point locations not include separation distances from state highway. It is unclear to us from the relief sought what amendments are requested to Table 3, we welcome further information from the submitter to clarify relief sought. We do not support the relief sought seeking to require approval from Council's Engineering Department for new local road crossings, we consider that this would establish an element of discretion that is not appropriate for a permitted activity rule, we consider that the provisions provide sufficient regulation to manage potential effects. Furthermore, Councils could utilise other methods such as vehicle crossing permits to require Engineering Department Approval. We do not support the inclusion of a new standard to require vehicle crossing design or reference to GDC guidelines as it is considered that the Transport Standards provide consistency across the region.

652. BDC (S538)<sup>302</sup> seeks Appendix One: Transport Performance Standards be amended as follows:

- This TRN Figure 1: show distance 'y' on Figure 1;
- TRN Tables 4 and 5 – amend the first heading of the tables to read: '*Total number of vehicle spaces provided*';
- TRN S7: re-format the last three bullet points;
- TRN S12: amend the table as follows:

*All RURZ – Rural Zones and FUZ – Future Urban Zones; For sites with four or more vehicle parking/loading/standing spaces, the surface must be ~~formed, sealed~~ metaled,  
All RESZ – Residential Zones and MPZ – Māori Purpose Zone, For sites with four or more vehicle parking/loading/standing spaces, the surface must be ~~formed, sealed~~ metaled, marked and drained to an all-weather standards, with a maximum gradient of 1:20. –*

*All CMUZ – Commercial and Mixed Use, INZ – Industrial, OSRZ – Open Space and Recreation, AIRPZ – Airport, HOSZ – Hospital, STADZ – Stadium and PORTZ – Port*

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<sup>302</sup> S538.088



Zones, For sites with ~~less~~ more than four on-site vehicle parking/loading/standing spaces the surface must be formed...

- TRN Table 6: Amend as follows:

<b>Activity</b>	<b>Qualifier</b>
<del>Childcare—including—preschool, kindergarten and play centre</del>	<del>25 Children</del>
<del>Education—Schools</del>	<del>30 Students</del>
<del>Education—Tertiary</del>	<del>150 FTE Students</del>
Industrial	5000m <sup>2</sup> gross floor area
Mining and Quarrying	>30 heavy vehicle movements per day
<del>Warehousing and Distribution</del>	<del>6,500m<sup>2</sup> gross floor area</del>
<del>Healthcare</del>	<del>300m<sup>2</sup> gross floor area</del>
<del>Office</del>	<del>2,000m<sup>2</sup> gross floor area</del>
Residential	20 residential sites/units
<del>Retail—Shops and Supermarkets</del>	<del>250m<sup>2</sup> gross floor area</del>
<del>Retail—Large Format and Bulk Goods</del>	<del>500m<sup>2</sup> gross floor area</del>
<del>Service Stations</del>	<del>2 filling pumps</del>
Mixed Use or other activities not otherwise listed in this Table	60 vehicle movements per day
<u>Commercial</u>	<u>200m<sup>2</sup> gross floor area</u>

1 car trip (to or from the property) = 2 equivalent car movements

1 truck trip (to or from the property) = 6 equivalent car movements

1 truck and trailer trip (to or from the property) = 10 equivalent car movements

- Delete TRN-S14.

653. BP Oil NZ Ltd, Mobil Oil NZ Ltd, Z Energy Ltd (FS64)<sup>303</sup> support BDC's proposed amendment to the trip generation thresholds to relate to gross floor area as opposed to filling pumps at service stations, as service stations do not generate a significant number of new trips as they are predominantly vehicles using the road network on their way to another destination. It is noted that this would result in a consequential amendment to TRN-R12.

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<sup>303</sup> FS64.007

Our response to the relief sought by BDC in relation to Appendix One is as follows:

- Due to a lack of clarity, we do not support the inclusion of 'y' on Figure 1, as we assume this is in relation to the inclusion of 'x' which appear to be the same distance. With further detail and technical input, we can consider this matter.
- We accept the change to Tables 4 and 5 as this reduces ambiguity.
- Due to a lack of clarity, we do not support the request made in relation to TRN S7.
- We accept the relief sought in relation to TRN S12, however, in our opinion this could be simplified to remove duplication in clauses.

654. The Ministry of Education (S456)<sup>304</sup> requests that the qualifier for 'Education – Schools' in TRN Table 6 is increased. This submission is based on the data included in the Waka Kotahi 'Research Report 453 Trips and parking related to land use', that 30 students would only result in 96 daily and 42 peak hour vehicle trips. The aforementioned traffic movements are based on the presumption that every pupil is driven to school in a vehicle carrying one student only. In reality, schools are often accessible by various transport modes including bicycle, bus, and walking. This combined with multiple students travelling in the same vehicle further reduces the traffic movements. As such, it requested that the qualifier for 'Education – Schools' is 100 students. Kāinga Ora (FS58)<sup>305</sup> supports the Ministry of Education's submission for matters unrelated to transport (financial contributions) and for these reasons, this submission has been disregarded. Waka Kotahi (FS62)<sup>306</sup> oppose the Ministry of Education's submission as the qualifier of 30 students establishes a safe baseline.

655. Waka Kotahi (S450)<sup>307</sup> seeks Appendix One: Transport Performance Standards retain TRN Tables 1 and 3, TRN Figure 1 and TRN S10, and amend as follows:

- Include the Transport Standards within the chapter rather than an appendix;
- Amend the table or add a new table to recognise the local road accessway separations from a state highway;
- Include new Transport Standard for state highway vehicle crossings requiring the approval of Waka Kotahi;
- Amend TRN Table 6 to include drive-thrus;
- Elevate the assessment criteria to form a new policy for the assessment of high trip-generating activities; and

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<sup>304</sup> S456.012

<sup>305</sup> FS58.061

<sup>306</sup> FS62.018

<sup>307</sup> S450.333, S450.334, S450.335, S450.336, S450.337, S450.338, S450.339, S450.340, S450.341

- Clarify the meaning of hvm/d.

We reject the inclusion of the Transport Standards within the Transport chapter, as the pTTPP appropriately references Appendix One where required and this would result in several technical and design based standards being located within the body of the chapter. Whilst we accept that vehicle crossings on state highways require specific design and consideration, however, insufficient technical evidence and s32 evaluation to support relief sought. Further, we support that drive-thrus should be included in TRN Table 6, however, insufficient technical evidence and s32 evaluation to support relief sought. We would welcome Waka Kotahi to provide further evidence to support this submission request. A new policy for high trip-generating activities has been recommended and TRN S14 has been amended to confirm 'hvm/d' means 'heavy vehicle movements per day'.

656. There were several submitters (S65, S82, S101, S129, S355, S356, S377 S443 & FS77)<sup>308</sup> on TRN-S14 within Appendix One who seek that TRN-S14 be amended to consider the cumulative effects of truck movements associated with heavy mineral concentrate or any other extraction associated with large bulk carrier vehicle movements. GDC (FS1) oppose the amendment sought as the type of activity is of no consequence and the cumulative effect of vehicle movements is what matters. We do not support the amendment sought for the reasons provide by GDC.

657. Fire and Emergency (S573)<sup>309</sup> seek the insertion of a new standard as follows 'TRAN-S15 – Firefighting Access'. As follows:

[1. Any access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 50 metres when connected to a road that has a fully reticulated water supply system including hydrants, must be designed to accommodate a fire appliance design vehicle of at least 2.5 metres wide and 13 metres long and with a minimum gross mass of 25 tonne.](#)

We accept that vehicular access for emergency services is important for the health and wellbeing of the community. We support the intent of the proposed standard; however, we consider this has been appropriately provided for by widening the access requirement for vehicle access under TRN S3 (from a width of 3 metres to 3.5 metres for vehicle access).

658.

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<sup>308</sup> S65.055, S82.001, S101.017, S129.004, S355.007, S356.003, S377.013, S443.018, FS1.028, FS77.8

<sup>309</sup> S573.013

### **8.3 S32AA Evaluation for Transport Chapter Recommended Amendments**

659. Section 32AA of the RMA requires a further evaluation to be undertaken in accordance with s32(1)-(4) if any amendment has been made to the proposal (in this case TTPP) since the original s32 evaluation report was completed. Section 32AA requires that the evaluation is undertaken in a level of detail that corresponds to the scale and significance of the changes. Minor changes to correct errors or improve the readability of TTPP have not been individually evaluated. In terms of s32AA, these minor amendments are efficient and effective in improving the administration of TTPP provisions, being primarily matters of clarification rather than substance.

660. While we consider that most of the amendments to this chapter to be minor, we have undertaken a Section 32AA evaluation of the amendments to objective TRN-O2 and new objective TRN-O6, new policies TRN-P10 and TRN-P11.

#### **8.3.1 Appropriateness of objectives to give effect to the RMA**

661. TRN-O2 is recommended to be amended changing the context of the objective from 'manage effects' to 'provide for' which in our opinion will improve the clarity of the objective, which as notified had a dual outcome effectively duplicating zone character, landscape and amenity objectives and policies. These amendments are consistent with and give effect to Section 6 of the RPS which requires enable, safe and efficient and integrated development, operation, maintenance and upgrading of regionally and nationally significant infrastructure and section 7(b) having particular regard to efficient use and development of natural and physical resources. In our opinion the amendments to TRN-O2 is the most appropriate way to give effect to the RMA.

662. Recommended objective TRN-O6 seeks to protect land transport corridors and infrastructure, are protected from incompatible land use. We recommend this new objective because there are numerous policies and rules which seek to manage reverse sensitivity and conflicts with no clear link to a notified objective. In our opinion this objective is the most appropriate way to give effect to Section 6 of the RPS particularly policy 6 which requires the protection of Regionally Significant Infrastructure from reverse sensitivity effects and section 7(b) having particular regard to efficient use and development of natural and physical resources.

#### **8.3.2 Appropriateness of provisions to give effect to the objectives**

663. Policies new policies TRN-P10 and TRN-P11 are recommended to recognise and provide for transport infrastructure a policy direction which was missing from the notified policies and will implement TRN-O2. TRN-P11 is proposed to provide policy

direction for high traffic generating activities, which again was missing policy direction from the notified policies. Policy TRN-P11 will implement both objectives TRN-O2 and TRN-O3.

664. It is considered that the recommended amendments to rules and standards are minor in nature, improving efficiency and effectiveness of the plan.

665. It is considered that the provisions will not result in significant change to cost and benefits evaluated in the pre-notification s32 and there is no risk in acting or not acting due to insufficient information.

## 9.0 Conclusion

666. This report provided an assessment of submissions received in relation to the **Energy, Infrastructure and Transport** chapter, and **Appendix 1**.
667. Section 5.3 considers and provides recommendations on the decisions requested in submissions. We consider that the submissions on the **Energy, Infrastructure and Transport** section, and **Appendix 1** should be accepted, accepted in part, rejected or rejected in part, as set out in our recommendations of this report and contained in Appendix 1 of this report.
668. We recommend that provisions for the **Energy, Infrastructure and Transport** chapter, and **Appendix 1** be amended for the reasons set out in this report and as contained in Appendix 1 of this report.
669. We consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA (especially for changes to objectives), the relevant objectives of this plan and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken.