

## Memo - Far North PDP Infrastructure – Pre-Hearing Meetings

### Purpose

The purpose of this memo is to set out the process and outcomes from pre-hearing meetings on the Infrastructure Chapter in the Far North Proposed District Plan (**PDP**). This memo is supported by two attachments:

- **Appendix 1:** Infrastructure Chapter – ‘Pre-Hearing Meeting Working Draft’
- **Appendix 2:** Pre-hearing meeting minutes.

### Overview of Pre-Hearing Meetings and Process

In accordance with Minute 13 from the Independent Hearing Panel for the PDP, pre-hearing meetings on the Infrastructure Chapter took place on the 10<sup>th</sup> and 11<sup>th</sup> December 2024. It involved the following submitters, noting that some submitters attended in part (refer **Appendix 2** for further details):

- Department of Corrections
- KiwiRail
- Telco Companies
- Top Energy
- Transpower New Zealand Limited.

The Department of Conservation and Forestry and Bird were also invited but were unable to participate.

As set out in **Appendix 2**, the pre-hearing meetings were focused on a number of issues with key discussions points, actions and outcomes recorded. A ‘Working Draft’ Infrastructure Chapter was also developed by the reporting officer for input and review by submitters in attendance. Following the pre-hearing meetings, the reporting officer circulated draft minutes and a tracked change version of ‘Infrastructure – Pre-hearing Meetings Working Draft’ for review and comment, with further correspondence taking place in January and February 2025. These comments are recorded in **Appendix 1** for the benefit of the Panel and other submitters.

### Key Outcomes and Caveats

The purpose of the pre-hearings meetings was to narrow down key issues prior to section 42A reporting and evidence exchange to assist with a more efficient hearing process. Progress was made on a number of key issues, including the relationship with other PDP chapters and amendments to specific provisions of interest. However, it is important to note that:

- All discussions were held on a ‘without-prejudice’ basis.
- The ‘Working Draft’ provisions in Appendix A are just that – they were prepared to support the pre-hearings and work through some of the key amendments requested. However, further amendments and refinements will occur through section 42A reporting and evidence exchange.

- The pre-hearing meetings focused on the submission points of those in attendance, not all relevant submissions points relating to those provisions which will occur through section 42A reporting and evidence exchange.
- There are a number of provisions that were not discussed and/or where it was agreed that any amendments should be considered further through section 42A reporting and evidence exchange.

## APPENDIX 1: INFRASTRUCTURE CHAPTER – ‘PRE-HEARING MEETING WORKING DRAFT’

*NB: this is a working draft version of the Infrastructure Chapter and does not consider all submission points. It has been prepared to support pre-hearing meetings. The section 42A report will include a revised set of amendments to the Infrastructure Chapter that considers all relevant submission points that all submitters will be able to respond to through evidence and/or at the hearings.*

### Overview

The district relies on the safe and efficient delivery of infrastructure as it is integral to community, economic and social well-being. However, development, operation, maintenance and upgrading of infrastructure can give rise to adverse environmental effects. In enabling infrastructure and managing adverse environment effects, it is important to recognise the locational, operational and functional needs and constraints of infrastructure. It is also important to recognise the public benefits associated with infrastructure, in particular the benefits of regionally significant infrastructure, to enhance economic, cultural, environmental and social well-being in the district.

Infrastructure, sometimes referred to as network utilities, is defined in the RMA and includes:

- i. pipelines;
- ii. telecommunications;
- iii. radiocommunications;
- iv. facilities for the generation of electricity, including lines and support structures;
- v. water supply, irrigation, drainage or sewerage systems;
- vi. structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- vii. facilities for the loading or unloading of cargo or passengers;
- viii. airports; and
- ix. navigation.

Regionally significant infrastructure is also defined in the Northland Regional Policy Statement (RPS) and includes important energy, water, communication, transport infrastructure and significant social and community facilities in the region.

This chapter manages key infrastructure and general network utilities. Renewable electricity and transport are managed through the Renewable Electricity Generation and Transport chapters. In addition to the provisions in this Chapter, there are provisions in other Part 2: District Wide Matters that may be relevant for infrastructure, including the Historic Heritage, Ecosystems and Indigenous Biodiversity, Natural Character, Heritage Area Overlays, Historic Heritage, Sites and Areas of Significance to Māori, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment chapters. ~~The provisions in this chapter are therefore specific to network utilities undertaken by a network utility operator (as defined in the RMA). The chapter also addresses amateur radio facilities as their activities involve radio-communication and amateur radio configurations that involve masts, aerials and supporting structures similar to other types of network utilities.~~

There are responsibilities under the RMA, the National Policy Statement on Electricity Transmission 2008 and the RPS in relation to infrastructure. These responsibilities require Council to provide for the National Grid and regionally significant infrastructure and protect it from inappropriate land use and subdivision that could result in reverse sensitivity effects and undermine its effective operation, security or future expansion.

~~The National Environmental Standards for Telecommunication Facilities 2016 (NES-TF) and National Environmental Standards on Electricity Transmission Activities 2009 (NES-ETA) provide a suite of nationally consistent rules specific to telecommunication facilities and electricity transmission activities. The District Plan does not apply to activities regulated under the NES-TF and NES-ETA~~

but it does apply to any telecommunication facility and electricity transmission activity not regulated by these environmental standards (e.g. new transmission lines, new telecommunication poles and antennas not in rural zone or road reserve). The District Plan also applies to telecommunication facilities located in areas subject to regulations 44-51 of the NES TF (e.g. historic heritage, visual amenity landscapes).

Objectives	
I-O1	The district has safe, efficient and resilient infrastructure that services the current and future needs of people and communities in the district.
I-O2	The economic and community benefits of infrastructure are recognised and provided for, including the benefits of regionally significant infrastructure to enhance economic, cultural, environmental and social well-being in the district.
I-O3	Infrastructure is protected from incompatible land use, subdivision and development that may result in reverse sensitivity effects to ensure its effective operation, maintenance, <u>repair</u> and upgrading.
I-O4	<del>The Ad</del> verse effects of infrastructure are managed <u>in a way that recognises and provides for the operational or functional need for infrastructure to be in particular environments, through the design and location of infrastructure to minimise adverse effects on areas with historical and cultural values, natural values, and coastal values.</u>
I-O5	The provision of infrastructure is integrated with land-use and is coordinated at the time of subdivision and development.
I-O6	The location of infrastructure does not constrain the ability of tangata whenua to develop land in the Māori Purpose zone or the Treaty Settlement overlay.
Policies	
I-P1	Provide for the continued operation, maintenance, <u>repair</u> , upgrading and replacement of existing infrastructure.
I-PX	<u>Recognise and provide for the operational need, functional need and technical requirements of infrastructure when considering and managing the adverse effects of infrastructure on the environment.</u>
I-P2	<del>In the coastal environment, manage the effects of the development, operation, maintenance and upgrading of infrastructure activities by:</del> <del>i. avoiding adverse effects on the qualities and characteristics of significant natural areas, outstanding natural features or landscapes, areas of outstanding natural character;</del> <del>b. avoiding significant adverse effects on other natural features and landscapes, and areas of natural character;</del> <del>c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and</del> <del>d. a. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.</del>
I-P3	<del>Outside the coastal environment, manage the effects of the development, operation, maintenance and upgrading of infrastructure activities by:</del> <del>a. avoiding effects on historical and cultural values, significant natural areas, and outstanding natural features or landscapes to the extent practicable;</del> <del>b. minimising or remedying adverse effects on historical and cultural values, natural environment values that cannot be avoided;</del> <del>c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and</del>

Commented [CH1]: O1-O5 supported as notified, edits look fine

Commented [B&A2]: Agree - as per S483.035

Commented [B&A3]: Agree with changes.

Commented [CH4]: 68.17 supported as notified, change is fine

Commented [B&A5]: Agree as per S483.039

Commented [CH6]: Consolidation. Telco made no sub on P2 and supported P3 subject to deleting (d) - 68.14. Looks fine, Telco neutral on whether to include the word "technical" which is being sought by others

Commented [JW7]: Not a national planning standards term and overlaps with operational need, but to recognise this is not just about the need to locate in a particular environment - its also about technical constraints on the ability to manage effects (e.g. pole needs to be x high). Alternatively, can be worded similar to suggested amendments to I-O4 above so just limited to locational considerations.

Commented [B&A8R7]: Support this approach and wording.

	<p><del>d-a. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.</del></p>
<p><b>I-PX</b></p>	<p>Provide for the development of, major upgrades to, and new National Grid infrastructure, and any ancillary activities including earthworks and vegetation clearance, while managing the adverse effects of these activities by the following:</p> <ul style="list-style-type: none"> <li>a. <del>having regard to the extent to which adverse effects have been avoided, remedied or mitigated by route, site and construction method selection;</del></li> <li>b. <del>considering the constraints imposed by the operational needs or functional needs of the National Grid on measures to avoid, remedy or mitigate adverse effects;</del></li> <li>c. <del>avoiding, remedying or mitigating adverse effects where practicable;</del></li> <li>d. <del>seeking to avoid adverse effects on the characteristics, qualities and values of:</del> <ul style="list-style-type: none"> <li><del>i. outstanding natural character areas in the coastal environment;</del></li> <li><del>ii. outstanding natural landscapes and outstanding natural features;</del></li> <li><del>iii. Threatened and At-Risk indigenous species and areas of significant indigenous vegetation and significant habitat of indigenous fauna;</del></li> </ul> </li> <li>e. <del>seeking to avoid significant adverse effects on the characteristics, qualities and values of:</del> <ul style="list-style-type: none"> <li><del>i. natural character and natural features and landscape in the coastal environment not identified as outstanding;</del></li> <li><del>ii. areas of predominately indigenous vegetation and indigenous species, habitats and ecosystems that are particularly vulnerable to modification;</del></li> <li><del>iii. natural character of wetland, lakes and river margins;</del></li> </ul> </li> <li>e-f. <del>where it is not practicable to avoid adverse effects on the values of the areas listed in clause d above within the coastal environment because of the functional need or operational need of the National Grid:</del> <ul style="list-style-type: none"> <li><del>i. recognise that there may be some areas where avoidance of adverse effects is required to protect the characteristics, qualities and values, so that the activity cannot proceed; and</del></li> <li><del>ii. otherwise remedy or mitigate adverse effects on the characteristics, qualities and values.</del></li> </ul> </li> </ul> <p><del>Where there is a conflict with other policies in this District Plan, this policy prevails.</del></p>
<p><b>I-P4</b></p>	<p>Provide for infrastructure where there are benefits such as:</p> <ul style="list-style-type: none"> <li>a. significant social, economic and cultural benefits associated with regionally significant infrastructure</li> <li>b. improved:             <ul style="list-style-type: none"> <li>i. quality of life;</li> <li>ii. standard of living;</li> <li>iii. public health and safety;</li> <li>iv. access to latest technology, such as fibre and high-speed wireless internet;</li> <li>v. functioning of businesses; and</li> <li>vi. transportation of freight, goods, people.</li> </ul> </li> <li>c. growth and development of the district;</li> <li>d. a reduction in the operation and maintenance costs of infrastructure;</li> <li>e. integration of infrastructure with urban development; and</li> <li>f. facilitating local, regional, national or international connectivity.</li> </ul>
<p><b>I-P5</b></p>	<p>Require the coordination of infrastructure planning and delivery at the time of land use, subdivision and development so that land use and infrastructure is integrated, efficient and aligned.</p>

- Commented [CH9]:** NA telco
- Commented [JW10]:** Sharon/Rebecca - I have listed these areas once both within and outside the coastal environment to avoid the need to list them twice then the direction in clause f is limited to within the coastal environment. I think this still captures the intent of the drafting you sent through but welcome your views
- Commented [B&A11R10]:** As this is a National Grid policy, have left this to Transpower / no comments from me on behalf of Top Energy.
- Commented [SD12]:** Should these refer to scheduled items?
- Commented [JW13R12]:** We have not referred to the relevant schedules when referring to these areas in other PDP policies so have not done here for consistency.
- Commented [SD14]:** Where does this requirement come from?
- Commented [JW15R14]:** This is from RPS (Policy 4.6.1(2) and consistent with Natural Character chapter in PDP (refer to Hearing 4 recommendations).
- Commented [SD16]:** Clause g seems to be hanging. Is it supposed to be part of f as follows:  
  
f. where it is not practicable to avoid adverse effects on the values of the areas listed in clause d above within the coastal environment because of the functional need or operational need of the National Grid,  
i) recognise that there may be some areas where avoidance of adverse effects is required to protect the characteristics, qualities and values, so that the activity cannot proceed; and, otherwise remedy or mitigate adverse effects on the characteristics, qualities and values
- Commented [JW17R16]:** Addressed.
- Commented [CH18]:** Supported as notified 68.18
- Commented [B&A19R18]:** And Top Energy as per S483.042
- Commented [CH20]:** Supported as notified 68.19
- Commented [B&A21R20]:** And Top Energy as per S483.043

<p><b>I-P6</b></p>	<p>Where practicable and appropriate for the type of infrastructure, minimise the adverse visual effects of infrastructure by:</p> <ol style="list-style-type: none"> <li>co-location or multiple use;</li> <li>removing redundant facilities or structures;</li> <li>using landscaping and/or recessive colours and finishes;</li> <li>encouraging innovative design to maintain the character and amenity of the surrounding area by integrating infrastructure within the site and utilising existing built form and landform; and</li> <li>requiring the undergrounding of services when locating infrastructure in the coastal environment, a resource overlay, heritage area or an area with high amenity value.</li> </ol>
<p><b>I-P7</b></p>	<p>Protect <u>infrastructure, including</u> regionally significant infrastructure, from the effects of incompatible land use and subdivision, including reverse sensitivity effects, which may compromise the operation and capacity of infrastructure by:</p> <ol style="list-style-type: none"> <li>locating and designing noise sensitive activities to avoid potential reverse sensitivity effects on airports, <del>and</del> State Highways <u>and railway designations</u>;</li> <li>avoiding physical obstructions in take-off, approach, landing and departure paths and runway end protections areas;</li> <li>managing new noise sensitive activities within a defined air noise contour <u>and the Rail Alert Overlay for railways</u>;</li> <li>managing access to the railway corridor, and local, regional and national road network;</li> <li><u>identifying a Critical Electricity Lines Overlay on the planning maps and</u> managing land use and subdivision activities in proximity to Critical Electricity Lines to:             <ol style="list-style-type: none"> <li>retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the line;</li> <li>ensure that future buildings and building alterations, earthworks, planting <u>of</u> <del>of</del> trees <u>and</u> construction activities do not compromise the effective operation of the electricity distribution network and maintain safe electrical clearance distances under all electricity distribution line operating conditions.</li> </ol> </li> <li>managing land disturbance and activities sensitive to gas transmission to avoid, or mitigate potential adverse effects on, gas transmission pipelines; and</li> <li>managing <del>other</del> activities, through set-backs and design controls where necessary, to achieve appropriate protection of local, regional and nationally significant infrastructure.</li> </ol>
<p><b>I-PX</b></p>	<p><u>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of National Grid from adverse effects by:</u></p> <ol style="list-style-type: none"> <li><u>Avoiding activities within the National Grid Yard, including but not limited to sensitive activities, where these will:</u> <ol style="list-style-type: none"> <li><u>compromise the operation, maintenance, upgrading and development of the National Grid; or</u></li> <li><u>result in reverse sensitivity effects on the National Grid.</u></li> </ol> </li> <li><u>Only allowing subdivision activities within the National Grid Subdivision Corridor where the subdivision is designed to ensure that any future land use and development will:</u> <ol style="list-style-type: none"> <li><u>avoid or minimise as far as practicable the risk to the safety of people and property;</u></li> <li><u>avoid reverse sensitivity effects on the National Grid; and</u></li> <li><u>not compromise the operation, maintenance, upgrading and development of the National Grid, or access to it.</u></li> </ol> </li> <li><u>Only allowing earthworks within the National Grid Yard where it can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid will not be compromised, taking into account:</u></li> </ol>

**Commented [B&A22]:** Top Energy support as notified S483.044

**Commented [CH23]:** Supported as notified 68.20, minor edits in chapeau look fine, other ones NA to telco

**Commented [B&A24]:** Support this revised wording in response to S483.045

**Commented [B&A25]:** No concern re references to rail corridors.

**Commented [B&A26]:** As above.

**Commented [B&A27]:** Minor corrections as per S483.045

	<ul style="list-style-type: none"> <li>i. <del>the extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid;</del></li> <li>ii. <del>the stability of land within and adjacent to the National Grid; and</del></li> <li>iii. <del>risks relating to health or public safety including the risk of property damage.</del></li> </ul>
<b>I-P8</b>	Provide for resilient infrastructure that will meet the district's needs by considering: <ul style="list-style-type: none"> <li>a. the impact on the network and levels of service if the work is not undertaken;</li> <li>b. the need for the infrastructure in the context of the wider network; and</li> <li>c. whether it is regionally significant infrastructure.</li> </ul>
<b>I-P9</b>	Encourage new linear infrastructure to be located within roads and, where practicable, adjacent to the carriageway unless this would result in a risk to health and safety.
<b>I-P10</b>	<del>Provide for the operation, maintenance and removal of the National Grid while having regard to the extent to which adverse effects have been avoided, remedied or mitigated through route, site and method selection.</del>
<b>I-P11</b>	Avoid new infrastructure where it will compromise the ability to develop and use land in the Māori Purpose zone or in the Treaty Settlement overlay unless the owners of the land agree to the new infrastructure.
<b>I-P12</b>	Recognise the benefits of new technology in infrastructure that: <ul style="list-style-type: none"> <li>a. improve access to, and efficient use of, networks and services;</li> <li>b. increases resilience or reliability of networks and services;</li> <li>c. protects the on-going safety of the community and the integrity of the network; or</li> <li>d. results in environmental benefits or enhancements.</li> </ul>
<b>I-P13</b>	<p>Manage the adverse effects of infrastructure on <del>other land uses and activities by the</del> environment by:</p> <ul style="list-style-type: none"> <li>a. avoiding, remedying or mitigating <del>the adverse effects of substantial upgrades to, or the development of new infrastructure, including effects on:</del> <ul style="list-style-type: none"> <li>i. <del>natural and physical resources;</del></li> <li>ii. <del>amenity values;</del></li> <li>iii. sensitive activities;</li> <li>iv. the safe and efficient operation of other infrastructure; <del>and</del></li> <li>v. the health, well-being and safety of people and communities.</li> </ul> </li> <li>b. avoiding radio, electric and magnetic emissions that do not meet the <del>recognised following recognised international and national standards or guidelines:</del> <ul style="list-style-type: none"> <li>i. <del>New Zealand Standards NZS2772.1: 1999 Radiofrequency fields - Maximum exposure levels - 3KHz to 300 GHz; and</del></li> <li>vi-ii. <del>International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007). ;</del></li> </ul> </li> <li>b. requiring the undergrounding of network utilities in Urban zones and the Settlement zone where it:                     <ul style="list-style-type: none"> <li>a. <del>is technically feasible;</del></li> <li>b. <del>is justified by the extent of adverse visual effects; and</del></li> <li>c-a. <del>provides for the safety of the community.</del></li> </ul> </li> </ul>
<b>I-PX</b>	<p><del>Requiring the undergrounding of network utilities in Urban zones and the Settlement zone unless:</del></p> <ul style="list-style-type: none"> <li>a. <del>it will result in greater adverse effects on the environment compared to placing the network utility above ground; or</del></li> </ul>

**Commented [CH28]:** Supported 68.21

**Commented [B&A29R28]:** Supported as notified as per S483.046

**Commented [B&A31R30]:** While Top Energy supported as notified, no issues with deletion noting addition of other policies previously.

**Commented [JW30]:** Incorporated into new National Grid standalone policy above.

**Commented [B&A32]:** Not discussed in meetings, but Top Energy submission sought amendments to this policy as S483.049, in particular use of "avoid" in this policy. I would retain concern with the use of "avoid" and other wording as per submission point.

**Commented [JW33R32]:** Will consider submissions on this further in s42A report

**Commented [CH34]:** Supported 68.22

**Commented [CH35]:** No telco sub, consolidating around H and S standards only makes sense

**Commented [B&A36]:** Support for changes to leading sentence and a.

**Commented [JW37]:** TBC whether these standards need to be referred to here

**Commented [B&A38R37]:** Support for specific reference as discussed and as outlined in Top Energy Submission S483.051

**Commented [CH39]:** Replacement of P9 as per Top energy sub. Suggest further edits so that it only relates to **new linear infrastructure**. Replacement of existing infra eg after a natural emergency is not going to be undergrounded thus suggest it is limited to new.

**Commented [JW40R39]:** Will consider further - there maybe potential situations where an upgraded asset can go underground? Further, I would have thought clause b) provides sufficient grounds to state that it is not technically or financially feasible for a replacement asset following emergency not to go underground.

**Commented [B&A41]:** I don't think this wording works. I read this is saying require undergrounding unless it will result in more environmental effects than placing it above ground? Seems back to front.

**Commented [JW42R41]:** To consider further through section 42A reporting.



	<p>b. <del>[there are operational, functional, technical or financial reasons that mean it is not feasible for the network utility to be underground].</del></p>
<p>I-P14</p>	<p><del>Manage infrastructure to address the effects of the activity requiring resource consent, including (but not limited to) e</del>Consideration of the following matters where relevant <del>when assessing and managing the effects of infrastructure to the application:</del></p> <ul style="list-style-type: none"> <li>a. any locational, technical, and operational requirements;</li> <li>b. bulk, height and design of any accessory buildings or structures;</li> <li>c. the extent of earthworks and/or indigenous vegetation removal associated with the infrastructure or access to it;</li> <li>d. the degree to which the environment has already been modified;</li> <li>e. potential for co-location and shared use of services and corridors;</li> <li>f. the nature, duration, timing and frequency of the adverse effects;</li> <li>g. any adverse effects on areas with historical and cultural values, natural values, coastal values, and recreational value;</li> <li>h. the health, well-being and safety of people and communities, including nuisance from noise, vibration, dust, odour emissions, temperature and light spill;</li> <li>i. the safe and efficient operation of other infrastructure;</li> <li>j. stormwater and overland flow path implications;</li> <li>k. the ability to safely access the infrastructure;</li> <li>l. the temporary or permanent nature of any adverse effects;</li> <li>m. whether the infrastructure is nationally or regionally significant;</li> <li>n. the impact of not operating, repairing, maintaining, upgrading, removing or developing the infrastructure;</li> <li>o. the benefits derived from the infrastructure at a local, regional and national scale, including the significant environmental, economic, social and cultural benefits of regionally significant infrastructure;</li> <li>p. the extent to which the infrastructure is integrated with, and necessary to support, planned development within Urban zones and the Settlement zone; and</li> <li>q. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</li> </ul>
<p><b>Rules</b></p>	

**Notes:**

1. ~~The rules in this Chapter apply across the District either in all zones or within specified zone as set out in the relevant rule. The zone rules in Part 3 – Area Specific Matters do not apply to infrastructure unless otherwise specified in this Chapter.~~
- 4.2. ~~There may be rules in the following other District-Wide Matters chapters that apply to infrastructure and that apply to a proposed activity, in addition to the rules in this chapter. These other rules that may be more stringent than the rules in this chapter: Heritage Area Overlays, Historic Heritage, Sites and Areas of Significance to Māori, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment. Ensure other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.~~
- 2.3. The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that exist prior to the 14 January 2010 and remain part of the National Grid is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NES-ETA). No rules in the Plan apply to activities associated with the existing electricity transmission line regulated by the NES-ETA. Where an activity

Commented [B&A43]: Support this addition.

Commented [CH44]: No telco sub, but no issue with proposed edits.

Commented [B&A45R44]: Top Energy submission S483.052 – no issue with amendments to leading sentence.

Commented [CH46]: Gives effect to telco sub 68.4

Commented [B&A47R46]: Agreed as it relates to S483.053 from Top Energy submission.

Commented [B&A48]: No issue with redrafting, but suggest for usability, that these other chapters are formatted as a list (e.g., a – g.)

Commented [JW49R48]: Will consider further.



associated with electricity transmission line is not regulated by the NES-ETA the rules and standards in the District Plan apply.

3.4. The installation and operation of telecommunications facilities (such as cabinets, antennas, poles, small cell-units and telecommunications lines) undertaken by a facility operator are controlled by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NES-TF). No rules in the District Plan apply to activities regulated by the NES-TF **where these comply with the permitted standards in the regulations**, except where the regulated activity is located in an area subject to subpart 5 of the regulations (including areas with historic heritage values, visual amenity landscapes, significant natural areas). The District Plan also applies to telecommunication facilities not regulated under the NES-TF (e.g. new poles outside the road reserve and in rural zones).

4.5. The rules do not replace, supersede, or provide permission under the New Zealand Electrical Code of Practice for Electrical Safe Distances — NZECP 34:2001 or the Electricity (Hazards from Trees) Regulations 2003. Compliance is required under all documents.

5.6. ~~The rules and provisions in this Chapter are primarily~~ **specific to network utility operations undertaken by a network utility operators except as the rules provisions that relate to Amateur radio operators (I-R14) and the provisions managing buildings, structures and vegetation planting within the National Grid Yard and Critical Electricity Lines Overlay (I-R11, I-R12, I-R13).**

<b>I-R1</b>	<b>Operation, maintenance, repair and removal of existing above or underground network utilities</b>	
<b>All zones</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	<b>Activity status where compliance not achieved with PER-1: Non-complying</b>
<b>I-R2</b>	<b>New underground network utilities (including customer connections) or upgrading of existing underground network utilities</b>	
<b>All zones</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> A new gas pipeline does not exceed a gauge pressure of 2,000 kilopascals.  <b>PER-2</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.  <b>NOTE:</b> Refer to NT-R5 if the activity will occur near a notable tree.	<b>Activity status where compliance not achieved with PER-1: Discretionary</b>  <b>Activity status where compliance not achieved with PER-2: Non-Complying</b>
<b>I-R3</b>	<b>Upgrading of existing above ground network utilities</b>	
<b>All zones</b>	<b>Activity status: Permitted</b>  <b>Where:</b>	<b>Activity status where compliance not achieved with PER 1, PER-2, PER-3, PER-4, PER-5, PER-6, PER-7, PER-8,</b>

**Commented [JW50]:** Responds to Telco sub 68.4

**Commented [B&A51]:** This seems to address Top Energy submission S483.054. However, to avoid confusion for plan users, I would recommend including the specific rule references – e.g., I-R11, I-R12, and I-R13

**Commented [B&A52]:** Retain position from S438.055 & S483.056 that this should be a discretionary activity status if compliance not achieved. .

**Commented [JW53R52]:** I consider that non-complying is an appropriate activity status when radiofrequency and magnetic standards not complied with (risk to human health) and this is consistent with other district plans

**Commented [B&A54]:** S483.058 – Top Energy seek to retain as notified.

**Commented [JW55]:** Note I haven't made the structural changes suggested by Top Energy at this point (which I generally support) as wanted to focus more on the material changes

**Commented [B&A56R55]:** Agreed, can be picked up later or in the s42A and responded to in evidence. I have therefore not commented on other changes within this rule as Top Energy submission sought to comprehensively redraft it.

<p><b>PER-1</b> The realignment, relocation or replacement of a telecommunications line, pipe, pole, tower, conductor, cross arm, switch, transformer or ancillary structure is within 5m of the existing alignment or location.</p> <p><b>PER-2</b> The realignment, relocation or replacement of a gas transmission line is within:</p> <ol style="list-style-type: none"> <li>1. an existing easement in favour of the pipeline; or</li> <li>2. is within 12m of the existing alignment or location.</li> </ol> <p><b>PER-3</b> A pole is not replaced with a tower.</p> <p><b>PER-4</b> A replacement pole, tower or telecommunication pole does not exceed a height, which is the lesser of the following:</p> <ol style="list-style-type: none"> <li>1. 25m; or</li> <li>2. the height of the replaced pole, tower or telecommunications pole by more than 30 percent <del>in a 10 year period.</del></li> </ol> <p><b>PER-5</b> The diameter or width of a replacement pole or telecommunication pole:</p> <ol style="list-style-type: none"> <li>1. does not exceed twice that of the replaced pole at its widest point; or</li> <li>2. where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times the width of the replaced pole at its widest point.</li> </ol> <p><b>PER-6</b> There are no additional towers.</p> <p><b>PER-7</b> A maximum of two additional poles, where necessary to achieve conductor clearances required by NZECP 34:2001.</p> <p><b>PER-8</b> Additional cross arms do not exceed the length of the existing cross arm by more than <del>400 percent, up to a maximum of</del> 4m.</p> <p><b>PER-9</b> The diameter of replacement pipes do not exceed the diameter of the replacement pipe by more than 300mm.</p>	<p><b>PER-9, PER-10, PER-11 or PER-12:</b> <b>Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <u>The functional need and operational need of the network utility;</u></li> <li>b. <u>The benefits of the network utility;</u></li> <li>c. <u>The purpose and necessity of the upgrading;</u></li> <li>d. <u>The potential adverse visual effects of the upgrading, including impacts on the amenity values of the locality, and any cumulative adverse effects; and</u></li> <li><del>a-e.</del> <u>Any measures to avoid, remedy or mitigate adverse effects.-</u></li> </ol> <p><b>Activity status where compliance not achieved with PER-13: Non-Complying</b></p>
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**Commented [JW57]:** Starter for 10 based on Telco submission

**Commented [CH58R57]:** Looks ok to Telco

**Commented [B&A59R57]:** Notwithstanding above comment, support RDA and generally supportive of matters of discretion.

	<p><b>PER-10</b> The realignment, relocation or replacement of any other network utility structure or buildings must:</p> <ol style="list-style-type: none"> <li>1. be within 5m of the alignment or location of the original structure or building;</li> <li>2. must not increase the footprint of the structure or building by greater than 30 percent in a 10 year period; and</li> <li>3. must comply with the zones permitted setback standards if it is a building.</li> </ol> <p><b>PER-11</b> A replacement panel antenna does not increase the face area by more than 20 percent in a 10 year period.</p> <p><b>PER-12</b> A replacement dish antenna does not increase in diameter by more than 20 percent in a 10 year period.</p> <p><b>PER-13</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>	
<p><b>I-R4</b></p>	<p><b>Electricity generators or self-contained power units for the supply of a network utility</b></p>	
<p>All zones</p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> A permanent back-up generator or a self-contained power unit is setback at least 2m from a General Residential or Settlement zone site boundary.</p> <p><b>PER-2</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>	<p><b>Activity status where compliance not achieved with PER-1: Discretionary</b></p> <p><b>Activity status where compliance not achieved with PER 2: Non-Complying</b></p>
<p><b>I-R5</b></p>	<p><b>New above ground customer connections</b></p>	
<p><b>Rural Production zone</b> - <b>Māori Purpose zone</b> -</p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> <u>The customer connection:</u> 1. <u>Does not include a new pole if located in the General Residential Zone or Settlement Zone; or</u></p>	<p><b>Activity status where compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><u>Matters of discretion are restricted to:</u> a. <u>The functional need and operational need of the network utility;</u></p>

**Commented [B&A60]:** As per earlier comments on non-complying activity status.

**Commented [CH61]:** Includes all zones now as requested by sub 68.5. Outcome as per this drafting would be satisfactory to telco.

**Commented [B&A62R61]:**

**Commented [B&A63]:** Note S483.018 on definition of customer connection.

**Commented [B&A68]:** Support this status as per S483.062

**Commented [JW64]:** TBC zones

**Commented [B&A65R64]:** Will comment once zones confirmed, and can pick up in evidence.

<p><b>Rural Lifestyle zone</b> - <b>Horticulture zone</b> - <b>Kauri Cliffs zone</b> <b>All zones</b></p>	<p>4.2. Does not include a new The poles greater than don't exceed a maximum of 25m in height above ground level in all other zones.</p>	<p>b. The benefits of the network utility; c. The purpose and necessity of the customer connection; d. The potential adverse visual effects of the customer connection, including impacts on the amenity values of the locality, and any cumulative adverse effects; and e. Any measures to avoid, remedy or mitigate adverse effects.</p>
<p><b>PER-2</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>		<p><b>Activity status where compliance not achieved with PER-2: Non-complying</b></p>
<p><b>I-R6</b></p>	<p><b>New network utilities in existing buildings</b></p>	
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>	<p><b>Activity status where compliance not achieved with PER-1: Non-complying</b></p>
<p><b>I-R7</b></p>	<p><b>New overhead lines and associated poles, telecommunication and attached antennas, or towers</b></p>	
<p><b>Rural Production zone</b> - <b>Rural Lifestyle zone</b> - <b>Māori Purpose zone</b> <b>All zones</b></p>	<p><b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> Poles or telecommunications poles and attached antenna (excluding lighting rods) do not exceed a height above ground level of: a. 25m in the Rural Production Zone, Rural Lifestyle Zone, Māori Purpose Zone, Light Industrial Zone, Heavy Industrial Zone, Airport Zone, Hospital Zone, Horticulture Zone, Horticulture Processing Facilities Zone;- b. 20m in the Mixed-Use Zone, Open Space Zone, Sport and Active Recreation Zone, Ngawha Innovation and Precinct Zone, Orongo Bay Zone, Rural Residential Zone; c. 15m in the General Residential Zone, Settlement Zone, and all other special purpose zones; or</p>	<p><b>Activity status where compliance not achieved with PER-1, or PER-2 or PER-3: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b> a. the functional need and operational need of, and benefits from, the network utility; b. the potential impact on the levels of service or health and safety if the work is not undertaken; c. the bulk, height, location and design of the network utility, including any associated building(s) or structures; d. the impact on the character and qualities of the surrounding area; and a-e. any adverse effects on public health and/or safety.</p>

**Commented [JW66]:** As per National Planning Standards definition - to make this amendment consistent across the chapter.

**Commented [B&A67R66]:** Support addition of above ground level, consistent with S483.062

**Commented [B&A69]:** Seek discretionary activity status as per S483.062

**Commented [B&A70]:** As per previous comments on non-complying activity status.

**Commented [CH71]:** Outcome as per this drafting would be satisfactory to telco.

**Commented [B&A74]:** Supportive of RDA and generally matters of discretion.

**Commented [B&A72]:** Do not support revised height limits for different zones. Not sure we discussed this in the meetings / where has this change come in terms of scope from submissions?

**Commented [JW73R72]:** As per correspondence this from telco submission and I consider that different height limited in different zones is an appropriate approach to reflect the different amenity and sensitivity of these zones. Telcos advise that they have no issue with different approach for electricity lines and poles.

	<p>a-d. <u>the permitted height of the adjacent zone in clause a to c above if located in the road reserve.</u></p> <p><b>PER-2</b> Towers do not exceed a height of 15m.</p> <p><b>PER-3</b> <u>Where two or more telecommunication facility operators are located on the same pole in the zones referred to PER-1.a, the pole and attached antenna (excluding lighting rods) do not exceed a height of 30m above ground level.</u></p> <p><b>PER-43</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>	<p><b>Activity status where compliance not achieved with PER-3: Non-complying</b></p>
<b>I-R8</b>	<b>New telecommunications kiosk</b>	
<b>All zones</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> It does not exceed: 1. a height of 3.5m; and 2. an area of 1.5m<sup>2</sup>.</p> <p><b>PER-2</b> The activity complies with standards: I-S2 Radio frequency fields; and I-S3 Electric and magnetic fields.</p>	<p><b>Activity status where compliance not achieved with PER-1: Discretionary</b></p> <p><b>Activity status where compliance not achieved with PER-2: Non-complying</b></p>
<b>I-R9</b>	<b>Navigational aids, sensing or environmental monitoring equipment</b>	
<b>All zones</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p>	<p><b>Activity status where compliance not achieved with PER-1: Non-complying</b></p>
<b>I-R10</b>	<b>Substations</b>	
<p><b>Rural Production zone</b></p> <p>- <b>Rural Lifestyle zone</b></p> <p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> <u>The substation is not located in General Residential Zone, Settlement Zone, Rural Residential Zone- [TBC – Special Purpose Zones].</u></p>	<p><b>Activity status where compliance not achieved with PER-1: Discretionary</b></p>

**Commented [B&A75]:** As per previous comments on non-complying activity status.

**Commented [B&A76]:** Didn't discuss in meetings, but Top Energy submission point S483.065 sought to Amend I-R8 to expressly enable the co-location of telecommunication kiosks on existing infrastructure. Will pick up in evidence as necessary.

**Commented [JW77R76]:** To be considered further though section 42A reporting and evidence

**Commented [JW78]:** I think it is clearer for the rule to state it should not be located in certain zones and then be discretionary, rather than the rule not applying to certain zones and default discretionary R19 applying (activity status same under either approach).

**Commented [B&A79R78]:** Support inclusion of all zones and not located in General Residential Zone, Settlement Zone, Rural Residential Zone. Would like to see what the TBC Special Purpose Zones are.

	<p><b>PER-21</b></p> <ol style="list-style-type: none"> <li>The <u>substation activity</u> must be landscaped by a strip of vegetation which will <u>provide continuous screening of</u> any buildings or structures; and</li> <li>The landscaped plants must achieve the continuous screening within five years and have a depth of 1.5m.</li> </ol>	
<p><b>I-R11</b></p>	<p><b>New building or structures, and extensions to existing buildings or structures, in the National Grid Yard</b></p>	
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b>  <del>No new building(s) or structures, and extensions shall be erected within 12m of any National Grid support structure, except for fences less than 2.5m in height and more than 5m from the support structure.</del></p> <ol style="list-style-type: none"> <li><u>Alterations and additions to an existing building or structure for a sensitive activity that does not involve an increase in the building height or footprint;</u></li> <li><u>Accessory buildings for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area;</u></li> <li><u>Network utilities as defined in section 166 of the RMA and electricity generation that connects to the National Grid;</u></li> <li><u>Fences located at least 5m from a National Grid support structure and no more than 2.5m in height;</u></li> <li><u>Ancillary stockyards and platforms, including those associated with milking sheds located more than 12m from a National Grid support structure;</u></li> <li><u>Uninhabited farm and horticultural buildings and structures located more than 12m from a National Grid support structure and alterations to these buildings and structures.</u></li> </ol> <p><b>PER-2</b>  <del>Under the National Grid Conductors (wires) the following can occur:</del></p> <ol style="list-style-type: none"> <li><del>a fence less than 2.5m in height;</del></li> <li><del>an extension to existing buildings used for sensitive activities that do not increase the building envelope; and</del></li> </ol>	<p><b>Activity status where compliance not achieved with PER-1 or PER-2: Non-complying</b></p> <ol style="list-style-type: none"> <li><u>A change of use to a sensitive activity within existing buildings or structures;</u></li> <li><u>The establishment of a sensitive activity;</u></li> <li><u>A building used for the handling or storage of hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities);</u></li> <li><u>Wintering barns, commercial greenhouses, immovable protective canopies, produce packing facilities, or milking sheds; and Any other building or structure that does not achieve compliance with PER-1. -</u></li> </ol>

Commented [B&A80]: Happy with this edit.

Commented [B&A81]: Don't support this addition – what does continuous screening mean? Will pick up in evidence. I know it is below in standard 2, but seems pretty vague when you consider its application.

Commented [JW82R81]: Will consider further - there are consistency issues to consider with other PDP landscape standards

Commented [B&A91]: This wording is confusing, should this say Activity status: Non-Complying

Where:

Commented [JW92R91]: This is a PDP drafting consistency issue and consider that is it more consistent/certain to retain reference to “where compliance not achieved”

Commented [CH83]: noted

Commented [B&A84R83]: I support the concept of this addition, but don't think the wording works when you read the rule in its entirety. Will pick up in evidence.

	<p><del>3. non-habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and protective canopies.</del></p> <p><del>This rule does not apply to: network utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid.</del></p> <p><b>NOTES:</b></p> <ul style="list-style-type: none"> <li>i. structures and activities located near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001; and</li> <li>ii. vegetation planted near the National Grid Yard should be selected and/or managed to ensure that it complies with the Electricity (Hazards from Trees) Regulations 2003.</li> </ul>	
<p><b>I-R12</b></p>	<p><b>New buildings or structures, and extensions to existing buildings or structures, <del>and earthworks</del> within 10m of a Critical Electricity Lines Overlay</b></p>	
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b></p> <ol style="list-style-type: none"> <li>1. The building or structure <u>is less than 3m in height and</u> does not require a building consent; or</li> <li>2. The extension of the building or structure does not exceed the envelope or footprint of the existing building or structure.</li> </ol> <p><del><b>PER-2</b></del></p> <p><del><b>Earthworks:</b></del></p> <ol style="list-style-type: none"> <li><del>1. are not directly above underground cables;</del></li> <li><del>2. do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and</del></li> <li><del>3.1. are in accordance with NZECP 34:2004.</del></li> </ol> <p><del><b>PER-23:</b></del></p> <p><del>Any buildings and structures Activities that do not comply with PER-1 or PER-2 provided that:</del></p>	<p><b>Activity status when compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</b></p> <p><b>Matters of discretion restricted to:</b></p> <ol style="list-style-type: none"> <li>a. the safe and efficient operation and maintenance of the electricity supply network, including:             <ol style="list-style-type: none"> <li>i. the use, design and location of buildings or structures;</li> <li>ii. compliance with NZECP 34:2001;</li> <li>iii. effects on public health and safety; and</li> <li>iv. effects on access to Critical Electricity Lines, designated substations and associated infrastructure for maintenance purposes.</li> </ol> </li> </ol>

**Commented [JW85]:** TBC - not in the Transpower submission

**Commented [B&A86R85]:** Is this in the notified PDP? Also note that Top Energy had S463.068 that relates to this.

**Commented [JW87R85]:** Yes, this part of the notified rule

**Commented [SD88R85]:** This is already covered in subclause 3 of the permitted activity rule.

**Commented [SD89]:** While it is not something sought in Transpower's submission, I consider these notes would be better written as performance standards. This would also make this rule consistent with I-R12 where compliance with NZECP34 is required (PER 2).

Could this be considered a minor change?

**Commented [JW90R89]:** To be considered further through section 42A reporting including consistency with I-R12

**Commented [B&A93]:** Agree that this is addressed in the EW chapter as per earlier hearing.

**Commented [B&A94]:** Agree with this addition

**Commented [B&A95]:** As per earlier comment.



	<p>prior to works notification is provided to Council that the building or structure complies with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) and the proposed activity is being carried out in accordance with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010); or</p> <p><b>PER-1 and PER-2 do not apply to:</b> activities the activity is being carried out by a network utility operator or territorial authority in accordance with New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p>	
<b>I-R13</b>	<b>Tree planting within 20m of a Critical Electricity Lines Overlay</b>	
<b>All zones</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The planting of trees is not for the purpose of providing a shelterbelt, plantation forestry or commercial horticultural operations.</p> <p><b>PER-2:</b> Activities that do not comply with PER-1 provided that: prior to works being undertaken, notification is provided to Council that the and the proposed activity is being carried out in accordance with the Electricity Act 1992 and associated regulations (NZECP 34:2001 trees will be planted and managed to comply with the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010)</p> <p><b>PER-1 does not apply to:</b> activities being carried out by a network utility operator or territorial authority in accordance with New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.</p>	<p><b>Activity status when compliance not achieved with PER-1 or PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. the safe and efficient operation and maintenance of the electricity supply network, including:             <ol style="list-style-type: none"> <li>i. the mature size, growth rate, location, and fall zone of any associated tree planting;</li> <li>ii. including landscape planting and shelterbelts;</li> <li>iii. compliance with NZECP 34:2001;</li> <li>iv. effects on public health and safety; and</li> <li>v. effects on access to Critical Electricity Lines, designated substations and associated infrastructure for maintenance purposes.</li> </ol> </li> </ol>
<b>I-R14</b>	<b>Amateur radio infrastructure</b>	
<b>All zones</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b></p>	<p><b>Activity status when compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5, PER-6, PER-7, PER-8 or PER-9: Restricted Discretionary</b></p>

**Commented [JW96]:** Wording more consistent with the equivalent National Grid Yard rule

**Commented [B&A97R96]:** This works better.

**Commented [JW98]:** Alternatively could be a PA condition as per Whangarei

**Commented [B&A99R98]:** I'm relaxed with either option, to structurally be consistent with the architecture of the PDP

**Commented [JW100]:** David - this wording consistent with Whangarei

**Commented [B&A101R100]:** I think this works.

**Commented [CH102]:** Noted

**Commented [JW103]:** David - as per correspondence, I think we need to retain the application of this rule to certain trees consistent with Whangarei DP otherwise would capture any tree which could be very onerous for landowners and Council

**Formatted:** p

**Commented [JW104]:** David - in hindsight, I think we only need to refer the Tree Regs here

**Commented [B&A105R104]:** Agreed, makes more sense and aligns with Top Energy Submission point S483.070

**Commented [JW106]:** As above

**Commented [B&A107R106]:** Also as above for my comment.

<p>It must be owned and operated by a licensed amateur radio operator.</p> <p><b>PER-2</b> All amateur radio configurations must be designed and operated in compliance with New Zealand Standard NZS 2772.1:1999.</p> <p><b>PER-3</b> There are no more than 2 antennas and aerials per site.</p> <p><b>PER-4</b> The relevant zone setback standards are complied with.</p> <p><b>PER-5</b> Within the General Residential zone, no support structures, aerials and antennas are located between the road and the closest part of any building on the site, or within 1.5m from any other boundary.</p> <p><b>PER-7</b></p> <ol style="list-style-type: none"> <li>1. Where antennas are attached to a building or other structure (including a mast), the radio and telecommunications antenna do not exceed:             <ol style="list-style-type: none"> <li>i. for an antenna dish; 2m in diameter;</li> <li>ii. for panel antenna: 4m<sup>2</sup> in area.</li> </ol> </li> <li>2. provided there is no more than one pedestal mounted antenna per site, which:             <ol style="list-style-type: none"> <li>i. is pivoted less than 4m above the ground with a maximum diameter of 5m and a maximum height for network utility structures of 6.5m;</li> <li>ii. if guy wires are used, where these do not exceed 12mm in diameter.</li> </ol> </li> </ol> <p><b>PER-8</b></p> <ol style="list-style-type: none"> <li>1. Provided any element making up an aerial does not exceed 80mm in diameter;</li> <li>2. for horizontal HF yagi aerials, provided the maximum element length does not exceed 14.9m, and maximum boom length does not exceed 13m;</li> <li>3. for whip aerials, provided the maximum length does not exceed 3.5m in height for network utility structures above the maximum height for network utility structures for the support structure.</li> </ol> <p><b>PER-9</b></p> <ol style="list-style-type: none"> <li>1. Provided there is only one primary mast per site, which does not exceed a</li> </ol>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. visual amenity effects, including effects on landscape;</li> <li>b. any positive effects of the activity;</li> <li>c. cumulative amenity effects associated with multiple devices and structures;</li> <li>d. the bulk, height, location and design of any structure; and</li> <li>e. any loss of sunlight on adjoining sites.</li> </ol>
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	<p>maximum height for network utility structures of 20m. This mast may be a pole of lattice mast, and may be guyed or self-supporting. Lattice masts shall be no more than:</p> <ul style="list-style-type: none"> <li>i. 1000mm in outside diameter up to 9m in height for network utility structures;</li> <li>ii. 420mm in outside diameter above 9m in height for network utility structures.</li> </ul> <p>2. provided there is only one secondary mast per site with a maximum height for network utility structures of 12m. This mast may be fitted with a rotator for VHF and/or UHF aerials;</p> <p>3. provided all masts (except for as provided for in PER 6(a) above) shall be less than 115mm in outside diameter; and</p> <p>4. in addition to the primary mast and the secondary mast, provided there are no more than 2 other masts per site, which do not exceed the maximum height for network utility structures for buildings within the zone in which it is located by more than 30% (except that one mast may be used as a vertical aerial up to 13.5m in height for network utility structures).</p>	
<p><b>I-R15</b></p>	<p><b>New overhead lines and associated poles, <del>telecommunication poles and attached antennas, or towers</del></b></p>	
<p><b>All zones other than the Rural Production zone, Māori Purpose zone</b></p>	<p><b>Activity status: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. the functional and operational needs of, and benefits from, the network utility;</li> <li>b. the potential impact on the levels of service or health and safety if the work is not undertaken;</li> <li>c. the bulk, height, location and design of the network utility, including any associated building(s) or structures;</li> <li>d. the impact on the character and qualities of the surrounding area; and</li> <li>e. any adverse effects on public health and/or safety.</li> </ul>	<p><b>Activity status where compliance not achieved: Not applicable</b></p>
<p><b>I-R16</b></p>	<p><b>Telecommunications lines, cabinets, poles and antennas regulated by the NES-TF that do not meet the Permitted Activity standards in Regulations 20,21,22,27,29,31,33,35 or 37 of the NES-TF and are not provided for as a controlled activity in Part 3 of <del>Part 3, Regulation 14 of</del> the NES-TF Regulations</b></p>	

**Commented [JW108]:** Now covered by R7

**Commented [CH109]:** Noted and agreed

**Commented [B&A110]:** See submission S483.073 from Top Energy - exclude Rural Lifestyle, Ngawha Innovation Zone and Rural Settlement Zone.

**Commented [CH111]:** No submission but this x-ref doesn't make sense, should be reg 14 in part 2 which provides for CA status where NESTF not met but PA standard in plan is

**Commented [B&A112R111]:** Top Energy supported as notified in S483.074, but no concerns with what is suggested by Chris above which seems to be a reasonable fix to this clause.

**Commented [JW113R111]:** Will consider further in section 42A

All zones	<p><b>Activity status: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. the functional and operational needs of, and benefits from, the network utility;</li> <li>b. the potential impact on the levels of service or health and safety if the work is not undertaken;</li> <li>c. the bulk, height, location and design of the network utility, including any associated building(s) or structures;</li> <li>d. the impact on the character and qualities of the surrounding area; and</li> <li>e. any adverse effects on public health and/or safety.</li> </ul>	Activity status where compliance not achieved: Not applicable
<b>I-R17 Construction and upgrading of above ground water supply, wastewater systems, or stormwater infrastructure</b>		
All zones	<p><b>Activity status: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. the functional and operational needs of, and benefits from, the network utility;</li> <li>b. the potential impact on the levels of service or health and safety if the work is not undertaken;</li> <li>c. the bulk, height, location and design of the network utility, including any associated building(s) or structures;</li> <li>d. the impact on the character and qualities of the surrounding area;</li> <li>e. odour, noise, dust; and</li> <li>f. any adverse effects on public health and/or safety.</li> </ul>	Activity status where compliance not achieved: Not applicable
<b><del>I-R18 New sensitive activity and any buildings used by a sensitive activity located in the National Grid Corridor</del></b>		
All zones	<p><del><b>Activity status: Restricted Discretionary</b></del></p> <p><del><b>Matters of discretion are restricted to:</b></del></p> <ul style="list-style-type: none"> <li><del>a. the extent to which the buildings location, design and layout enables appropriate separation distances between a sensitive activity and the National Grid transmission lines and any substation;</del></li> <li><del>b. any reverse sensitivity effects;</del></li> <li><del>c. the risk of electrical hazards affecting public or individual safety, and the risk of public and private property damage; and</del></li> <li><del>d. any adverse effects arising from any earthworks or proposed landscaping.</del></li> </ul>	<del>Activity status where compliance not achieved: Not applicable</del>

**Commented [SD114]:** Transpower sought the deletion of this rule (S454.067). Given that sensitive activities are addressed in I-R11 (permitted and non-complying) and there is a rule relating to subdivision in the National Grid Subdivision Corridor in the Subdivision chapter, I don't think this is necessary and is potentially confusing.

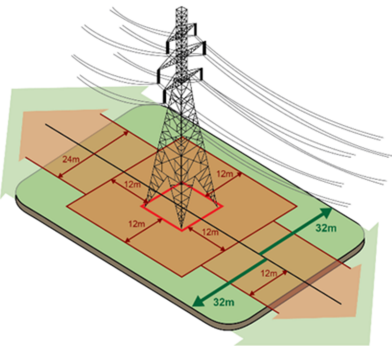
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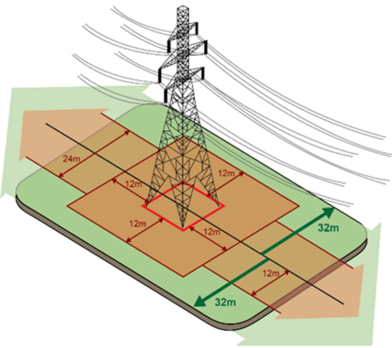
<b>I-R19</b>	<b>Activities not otherwise listed in this chapter</b>	
<b>All zones</b>	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<del>I-R20</del>	<del>Sensitive activity and any building used by a sensitive activity located within the National Grid Yard</del>	
<del>All zones</del>	<del>Activity status: Non-complying</del>	<del>Activity status where compliance not achieved: Not applicable</del>
<del>I-R21</del>	<del>The reticulation and storage of water for irrigation purposes within the National Grid Yard</del>	
<del>All zones</del>	<del>Activity status: Non-complying</del>	<del>Activity status where compliance not achieved: Not applicable</del>
<b>Standards</b>		
<b>I-S1</b>	<b>Radio frequency fields</b>	
<b>All zones</b>	If generating radiofrequency fields, an activity must not exceed the maximum exposure level of the general public in New Zealand Standards NZS2772.1: 1999 Radiofrequency fields - Maximum exposure levels - 3KHz to 300 GHz.	<b>Activity status where compliance not achieved: Not applicable</b>
<b>I-S2</b>	<b>Electric and magnetic fields</b>	
<b>All zones</b>	If generating electric and magnetic fields, the activity must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).	<b>Activity status where compliance not achieved: Not applicable</b>

**Commented [SD115]:** As above, I don't think this is necessary given the changes to I-R11.

**Commented [SD116]:** As a matter of internal policy, Transpower no longer pursues this rule. It could be deleted.

Definitions:

TERM	PDP definition/requested amendments
<p><b>NATIONAL GRID SUBDIVISION CORRIDOR</b></p>	<p><u>Transpower to confirm amendments means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground National Grid transmission line as follows:</u></p> <p><u>32m of a 110kV transmission line on towers (including tubular steel monopoles where these replace steel lattice towers);</u></p> <p><u>The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer visible edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</u></p> <p><u>Note: the National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.</u></p> <p><u>Diagram 1: National Grid Yard and National Grid Subdivision Corridor.</u></p>  <p><u>Steel Lattice Tower - 110kV Transmission Line</u></p>
<p><b>NATIONAL GRID YARD</b></p>	<p><u>Transpower to confirm amendments means:</u></p> <ul style="list-style-type: none"> <li><u>• the area located 12 metres in any direction from the outer visible edge of a National Grid support structure;</u></li> <li><u>• the area located 12 metres either side of the centreline of any overhead National Grid transmission line on towers (including tubular steel monopoles where these replace steel lattice towers).</u></li> </ul> <p><u>Diagram 1 National Grid Yard and National Grid Subdivision Corridor.</u></p>

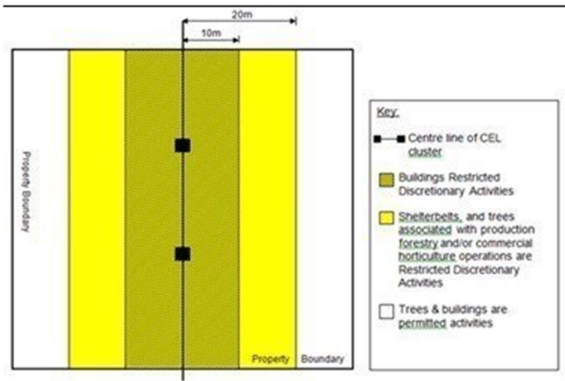
	 <p>Steel Lattice Tower - 110kV Transmission Line</p>
<b>SUBSTATION</b>	<p>means those parts of works or electrical installations, being a building, structure, or enclosure exceeding 10m<sup>2</sup> in area and having equipment rated at over 22 kV, and incorporating fittings that are used for the purposes of the control of the transformation, transmission, or distribution of electricity.</p>
<b>NEW – CUSTOMER CONNECTONS</b>	<p><u>Means any infrastructure provided by a network utility operator that is required to connect customers including cabling, transformers and switch gear, poles lines and pillars.</u></p>
<b>NEW - CRITICAL ELECTRICITY LINES</b>	<p><u>Lines that are critical to the quality, reliability and security of electricity supply throughout the district or region, including lines that:</u></p> <ul style="list-style-type: none"> <li><u>a. Supply essential public services such as the hospital, civil defence facilities or Lifeline sites; or</u></li> <li><u>b. Supply large (1MW or more) industrial or commercial electricity consumers; or</u></li> <li><u>c. Supply 1,000 or more consumers; or</u></li> <li><u>d. Are difficult to replace with an alternative electricity supply if they are compromised.</u></li> </ul>
<b>NEW- CRITICAL ELECTRICITY LINE OVERLAY</b>	<p>[TBC – to be defined in a similar way as Whangarei with modified diagram as below]</p>

**Commented [B&A117]:** Support this change and aligns with S483.017

**Commented [B&A118]:** This is from the RPS? Generally supportive.

**Commented [JW119R118]:** Yes, from RPS



	 <p><b>Key:</b></p> <ul style="list-style-type: none"> <li>■ Centre line of CEL cluster</li> <li>■ Buildings Restricted Discretionary Activities</li> <li>■ Shelterbelts, and trees associated with production forestry and/or commercial horticulture operations are Restricted Discretionary Activities</li> <li>□ Trees &amp; buildings are permitted activities</li> </ul> <p>Figure CEL 1. Classification of Activities in vicinity of CEL</p>
<p><b>NEW – UPGRADING</b></p>	<p>Top Energy submission: <i>means an increase in the capacity, efficiency or security of existing infrastructure.</i></p> <p>JW suggested amendment: <i>means in relation to infrastructure, an increase in the capacity, efficiency, safety, or security or resilience of existing infrastructure.</i></p>

Commented [B&A120]: Agree with this or something similar.

Commented [B&A121]: Agree with these suggested amendments.

## APPENDIX 2: PRE-HEARING MEETING MINUTES

### Dates and attendees

#### Day 1

**Date:** 10 December      **Time:** 9.30am to 11:30am      **Location:** Microsoft Teams

<b>Attendees</b>	<ul style="list-style-type: none"> <li>▪ SLR Consulting – Jerome Wyeth (Reporting Officer), Analeigh Pye (Notes/scribe)</li> <li>▪ Far North District Council - James Witham (District Plan Team Leader)</li> <li>▪ Department of Corrections – Sean Grace</li> <li>▪ KiwiRail - Cath Heppelthwaite</li> <li>▪ Telco Companies – Chris Horne, Graeme McCarrison</li> <li>▪ Top Energy – David Badham</li> <li>▪ Transpower – Sharon Dines</li> </ul>
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**Regrets**      ▪ NZTA – Bruce Hawkins

#### Day 2

**Date:** 11 December      **Time:** 9.30am to 11:15am      **Location:** Microsoft Teams

<b>Attendees</b>	<ul style="list-style-type: none"> <li>▪ SLR Consulting – Jerome Wyeth (Reporting Officer), Analeigh Pye (Notes/scribe)</li> <li>▪ Far North District Council - James Witham (District Plan Team Leader)</li> <li>▪ KiwiRail - Cath Heppelthwaite (in part)</li> <li>▪ Telco Companies – Chris Horne, Graeme McCarrison</li> <li>▪ Top Energy – David Badham</li> <li>▪ Transpower – Sharon Dines</li> </ul>
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Item	Issue	Discussion points (recorded as acronyms of names above)	Actions and Outcomes E.g., refer to provision XX in marked-up PDP Chapter.
1	-+R+relationship between Infrastructure chapter and other PDP chapters	<ul style="list-style-type: none"> <li>▪ CH (Telcos) notes FNDC PDP is not self-contained in terms of the provisions for infrastructure compared to some other district plans.</li> <li>▪ General acceptance that zone provisions relating to buildings and structures should not apply to infrastructure activities, but the key issue is whether the overlay provisions in Part 2 – District-wide matters apply.</li> <li>▪ DB notes that fundamentally, utility rules should overrule zone-based rules. Overlay provisions is where there is potential to apply different rules based on sensitive environments, section 6 considerations etc. DB considers there is a lack of consistency in the PDP as to what applies where / when.</li> <li>▪ Potential limitations of the use of advice notes raised by DB, based on legal positions at other PDP processes. Instead, it was suggested that the 'Notes' could be drafted into the rules.</li> <li>▪ In terms of the use of notes to clarify where certain rules apply/do not apply:               <ul style="list-style-type: none"> <li>○ JW notes flow on effects on the entire PDP if such a change were to occur.</li> <li>○ SD suggests the 'How the Plan Works' chapter/section is amended to guide this.</li> <li>○ GM raises that rules are written to apply where relevant and should not rely on notes.</li> </ul> </li> <li>▪ SD generally agrees with Telcos and Top Energy and further notes the Transpower-specific point on the rule relating to activities within the National Grid Yard applies to a range of activities and is not limited to infrastructure providers. SD notes that the statement that the infrastructure chapter only applies to network utility operators is incorrect and needs to be changed. SD also considers that the zone chapters (particularly the Rural Production Zone) should signpost the National Grid Yard rules in the infrastructure chapter to help ensure that these are more visible for plan users, as these generally most relevant in the rural environment.</li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>▪ All agree zone rules should not apply to infrastructure activities unless specifically referred to in the Infrastructure Chapter.</li> <li>▪ The existing advice note relating to Part 2 District Wide Matters should be more targeted so it focuses on those overlays where there are more stringent rules for buildings and structures (including infrastructure).</li> </ul> <p><u>Matters of disagreement</u></p> <p>N/A (subject to draft provisions being circulated)</p>	<ul style="list-style-type: none"> <li>▪ Refer to circulated marked-up 'working draft' provisions (for comment).</li> <li>▪ JW to consider further whether any further amendments required to the 'How the Plan Works' section (to be discussed with relevant reporting officer).</li> <li>▪ JW to consider further whether advice notes should be in rural zone chapters to signpost National Grid Yard rules and Critical Electricity Lines in the infrastructure chapter (to be confirmed with reporting officer).</li> </ul>
2	I-P2 and I-P3 – effects management policies within and outside the coastal environment	<ul style="list-style-type: none"> <li>▪ DB notes Top Energy's submission on these matters is narrow and merely refers to wording changes (addition of <u>repair</u> in chapeaus of P2 and P3 and <u>providing for</u> in P2(c)).</li> <li>▪ CH (Telcos) sought for P2 to retained as notified and P3 to be amended to remove any requirements for offsetting and compensation and do not have any issues with Top Energy's changes sought. CH (Telcos) also notes most plans are gravitating to the use of functional need and operational need as this encapsulates 'technical' requirements.</li> <li>▪ SD notes that some consider there is a distinction between operational need, functional and <u>technical requirements (as per NPS-ET)</u>. SD would like to see some reference to technical requirements retained and may need to seek further feedback from Transpower.</li> <li>▪ CH (KiwiRail) points out the potential for Forest and Bird to push back on such changes, based on experiences with other PDP processes.</li> <li>▪ JW notes that the notified policies do not align with changes recommended through Hearing 4 in relation to the coastal environment, indigenous biodiversity, outstanding natural landscape and features, and natural character of waterbodies. JW suggests there is potential to cross-reference these policies or align the policy direction so that they do not conflict and give effect to the higher order directive policies in the NZCPS and RPS.</li> <li>▪ GM considers clause (d) is out of place and definition of 'Maintenance' is not necessarily helpful in an infrastructure context.</li> </ul> <p><u>Matters of agreement</u></p> <ul style="list-style-type: none"> <li>▪ Broadly, in agreement that Policies I-P2 and I-P3 should be aligned with other policies in the PDP (overlay chapters) and need to give effect to the directive policies in NZCPS and RPS.</li> <li>▪ All agree/have no concerns with the inclusion of <u>repair</u> alongside development, operation, maintenance, upgrade etc.</li> <li>▪ Specific amendments to be considered further on Day 2 (see below).</li> </ul>	<ul style="list-style-type: none"> <li>▪ JW drafted amendments to clause (a) for review by participants on Day 2.</li> <li>▪ Refer to working draft provisions.</li> </ul>

Item	Issue	Discussion points (recorded as acronyms of names above)	Actions and Outcomes E.g., refer to provision XX in marked-up PDP Chapter.
		<p><u>Matters outstanding</u></p> <ul style="list-style-type: none"> <li>Use of 'technical' requirements/constraints in addition to 'functional need' and 'operational need' as defined terms in the National Planning Standards.</li> </ul>	
3	<p>3a: New Policy – Provision for the development of the National Grid and effects management</p> <p>3b: New Policies – National Grid (adverse effects of third parties and sensitive activities)</p>	<ul style="list-style-type: none"> <li>SD notes Transpower's submission seeks to ensure the PDP gives effect to the NES-ET.</li> <li>SD suggests this is discussed separately, if others are happy for this to occur.</li> <li>JW notes that he supports separate National Grid policies in principle subject to getting the detail right.</li> <li>JW notes the detailed nature of the policies sought in Transpower submission and whether these can be simplified based on more recent examples in plans,</li> </ul> <p><u>Matters of agreement</u></p> <ul style="list-style-type: none"> <li>SD and JW agree to have separate discussions on the detail of these National Grid specific policies.</li> </ul> <p><u>Matters of Disagreement</u></p> <p>N/A (subject to draft provisions being circulated)</p>	<ul style="list-style-type: none"> <li>SD and JW to have separate conversation on this and provide potential standalone policy for others to consider.</li> <li>Refer to working draft provisions</li> </ul>
4	I-P7 – Protecting Regionally Significant Infrastructure	<ul style="list-style-type: none"> <li>SG notes Corrections' scope is narrow but the Northland Regional Prison does have regionally significant infrastructure status in the RPS but is not infrastructure as defined in the RMA. Therefore, Corrections concerned with any amendments that would water down the protection of regionally significant infrastructure in I-P7.</li> <li>DB notes that Top Energy's submission is not trying to limit the infrastructure I-P7 applies to, but rather to ensure it includes nationally, regionally, and locally significant infrastructure. DB also notes disconnect between Infrastructure chapter and strategic direction chapter in the PDP which does not include specific direction relating to regionally significant infrastructure consistent with the RPS. DB queries whether there is scope to revisit this through this hearing process.</li> <li>Critical Electricity Lines (CEL) discussed and DB suggests CEL matters are discussed separately with JW. In addition: <ul style="list-style-type: none"> <li>CH (Telcos) seeks to ensure I-R12 PER-2 (ii) covers Telco interests, i.e. that work undertaken by network utility operators can occur within the overlay/setbacks.</li> <li>SD confirms no overlap between CEL and National Grid Yard provisions.</li> </ul> </li> <li>CH (KiwiRail) asks whether Northland RPS is supportive of various types of infrastructure. General answer provided was yes, but there are also specific provisions relating to regionally significant infrastructure.</li> <li>CH (KiwiRail) seeks specific protection around railway lines and a setback enabling building maintenance for buildings adjoining railway lines. Specific amendments to be considered further on Day 2 (see below).</li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>I-P7 can be broader to encapsulate nationally, regionally and other infrastructure.</li> <li>Specific amendments to be considered further on Day 2 (see below).</li> </ul> <p><u>Matters of Disagreement</u></p> <p>N/A (subject to draft provisions being circulated)</p>	<ul style="list-style-type: none"> <li>Amendment to first sentence of I-P7 to read "Protect <u>infrastructure, including</u> regionally significant infrastructure"</li> <li>CEL matters to be discussed separately between DB and JW.</li> <li>JW to take inclusion of 'rail' and associated noise effects / alignment with noise provisions offline and report back.</li> <li>JW to consider further whether any further amendments required to the strategic direction provisions for infrastructure (to be discussed with relevant reporting officer).</li> <li>Refer to working draft provisions</li> </ul>
5	Amendments to various policies to refer to operational and functional need of infrastructure	<p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>Generally, parties are in agreement of JW suggestion to have a general policy relating to operational and functional need of infrastructure to be read together with all other policies, subject to seeing the details of that policy.</li> </ul>	
6	I-P13 – Managing the adverse effects of infrastructure	<ul style="list-style-type: none"> <li>DB notes that Top Energy has requested a number of amendments to this policy and questions what I-P13 is trying to achieve in addition to the other effects management policies. DB further notes that if this is a 'manage' effects on the environment policy, then it should also include offsetting and compensating.</li> <li>CH (KiwiRail) suggests the purpose of I-P13 may be to manage the effects of infrastructure on land use activities rather than natural environment? JW agrees and considers that it can be refocused to be clearer on purpose.</li> <li>CH (Telcos) considers that clause (c) can be its own policy and amended as necessary which is an approach adopted in other plans. DB agrees and suggests this could be a standalone policy. CH (Telcos) wants to make sure the policy is</li> </ul>	<ul style="list-style-type: none"> <li>DB and JW to have discussion and circulate with others for review.</li> <li>Refer to working draft provisions.</li> </ul>

Item	Issue	Discussion points (recorded as acronyms of names above)	Actions and Outcomes E.g., refer to provision XX in marked-up PDP Chapter.
		<p>practicable or workable for network utility operators and there is a ability to consider when undergrounding is not feasible for financial or technical reasons.</p> <ul style="list-style-type: none"> <li>DB considers clause (b) should be amended to refer to the specific standards referenced in I-S1 and I-S2, as opposed to councils seeking to impose any relevant 'best practice' standards. CH (Telcos) considers the policy should refer to international and national standards and guidelines Others do not express a strong view – key point is that the appropriate standards are referenced in in I-S1 and I-S2.</li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>Reframe policy to be clearer on purpose.</li> <li>Removal of clause (a)(i) <del>natural and physical resources</del></li> <li>Undergrounding of network utilities to be explored as a standalone policy – subject to review from parties with scope.</li> </ul> <p><u>Matters of Disagreement</u></p> <p>N/A (subject to draft provisions being circulated)</p>	
7	I-P14 – Consideration policy	<ul style="list-style-type: none"> <li>JW notes that these 'consideration policies' are a PDP wide issue and are included in all relevant chapters. The purpose is to ensure that all relevant matters are considered when resource consent is required under the Infrastructure Chapter, although it is accepted that this is a long list and some matters duplicate with earlier policies.</li> <li>DB notes that if amendments are made to Policies 1-13, then consequential amendments might need to be made to I-P14.</li> </ul> <p><u>Matters of Agreement / Disagreement</u></p> <ul style="list-style-type: none"> <li>No specific matters to agree / disagree to.</li> </ul>	<ul style="list-style-type: none"> <li>This will largely be explored through section 42A reporting.</li> <li>Refer to marked-up provisions for minor suggested amendment to chapeau to align with other policies.</li> </ul>
<b>Recap – Discussion on Reporting Officer's Provision Mark-ups</b>		<ul style="list-style-type: none"> <li>Ensure numbered lists accurately use 'and' and 'or' throughout.</li> <li>CH (KiwiRail) notes I-P2 and I-P3 are particularly similar to coastal environment, outstanding natural character and landscapes, and natural character policies in the PDP (and cross-referencing IB). CH (KiwiRail) questions the value of this approach noting that small differences in wording can create interpretation issues and there is little point duplicating these policies. Also not convinced that 'offsetting' is allowable in the coastal environment given NZCPS and RPS direction.</li> <li>JW considers these valid points. The purpose of the amendments was to better align with the recommendations to those chapters in Hearing 4 but there are multiple ways to achieve this.</li> <li>CH (KiwiRail) notes that there are issues associated with cross-references as arguably other chapters (e.g. earthworks) also need to be referenced.</li> <li>DB agrees with the concerns noted and both question whether new Policy I-PX relating to the operational need and functional need of infrastructure needs to be more targeted.</li> <li>JW suggests that either way amendments are required to I-P2 and P3 to align with Hearing 4 recommendations and to give effect to the NZCPS and RPS. He seeks feedback on the options of deleting I-P2 and P3 altogether and for the Infrastructure Chapter to rely on the effects management direction in the overlay chapters.</li> <li>GM also raises concerns with the amendments to I-P2 and I-P3 and draws attention to Selwyn DP policies which is broadly to 'provide for infrastructure'. Suggests simplifying the PDP in similar ways. JW not opposed to stripping things down and identifying a more concise objective/policy direction to provide for infrastructure. JW notes that there is reasonably broad scope in submissions to amend the policy direction in the Infrastructure Chapter relating to effects management, operational need, functional need, to give effect to higher order documents etc.</li> <li>DB does think stripping the direction in I-P2 and I-P3 in this could work but the way the PDP is structured makes it relatively tricky to do so. Suggests having the Infrastructure provisions prevailing over zone chapters and then let the overlay chapters do their job.</li> </ul>	<ul style="list-style-type: none"> <li>JW to produce an example of how different approach to I-P2 and P3 might work.</li> <li>CH (KiwiRail) considers amendments made resolves its submissions on I-P7 but request a Rail Noise Overlay.</li> </ul> <p><u>General points of agreement</u></p> <ul style="list-style-type: none"> <li>Strip back I-P2 and P3 to let overlays do their job.</li> <li>DB can accept I-P7 in principle.</li> <li>Acknowledgement of I-P13 being redirected to make focus clearer.</li> <li>DB can support I-P13 in principle. Telcos acknowledge no scope on this to support but otherwise would in principle.</li> <li>SD supportive of amendments to Notes which make clear who the provisions relate to.</li> <li>Refer to working draft provisions.</li> </ul>

Item	Issue	Discussion points (recorded as acronyms of names above)	Actions and Outcomes E.g., refer to provision XX in marked-up PDP Chapter.
		<ul style="list-style-type: none"> <li>▪ JW asks for a general position from members on the above matters in relation to new IP-PX, I-P2 and I-P3 noting that, as notified, these do not work with overlay chapters based on recommendations in Hearing 4. This conflict needs to be addressed in some capacity.</li> <li>▪ JW asks GM whether there are any other plans as good examples. GM notes Porirua and SD suggests New Plymouth.</li> <li>▪ SD retains Transpower’s position requesting standalone National Grid policies, as it is difficult to reconcile national direction (especially NES-ET) with other instruments and infrastructure (e.g., telcos) within one policy.</li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>▪ JW to circulate a revised set of provisions taking into account the views and concerns outlined above for further feedback.</li> </ul>	
8	I-R3 – Upgrading existing infrastructure	<ul style="list-style-type: none"> <li>▪ JW notes there are range of submitters on this provision and provides comparison of drafting changes sought by Top Energy, alongside the notified I-R3, and the corresponding rule in the network utility rules provided in the Telcos submission.</li> <li>▪ JW notes that there is a lot of similarities in the two versions of the rule, but that the Top Energy submission seeks to modify/remove certain standards and more clearly set out how the rule applies to different types of infrastructure.</li> <li>▪ In terms of the references to increases in height and footprint size being tied to a 10-year period, CH (Telcos) notes the 10-year timeframe provision is very unlikely to be used and abused, given it is expensive to upgrade poles and that upgrades do not happen unless necessary (at much longer intervals).</li> <li>▪ CH (Telco) notes the ‘big’ effects issue for people from upgrades of existing infrastructure is increased width / height but ultimately it is generally not a material or particularly noticeable change once works are complete.</li> <li>▪ Discussion on ‘pole’ vs ‘tower’. SD notes both terms are defined in the NES-ETA.</li> <li>▪ General comments on ‘poles’ not needing to be defined, more that ‘towers’ might require clarification (i.e. that this captures lattice towers with more visual effects).</li> <li>▪ General agreement that a permitted activity condition to not replace a pole with tower should be retained if there is clarity on how this applies.</li> </ul> <p><u>Matters of agreement</u></p> <ul style="list-style-type: none"> <li>▪ JW to circulate a revised I-R3 based on taking into account the discussion above.</li> <li>▪ No agreements reached prior to seeing amendments made to I-R3.</li> </ul> <p><u>Matters of disagreement</u></p> <p>N/A</p>	<ul style="list-style-type: none"> <li>▪ JW to make amendments based on discussions and send for review.</li> <li>▪ Refer to working draft provisions</li> </ul>
9	I-R5 – Above ground customer connections	<ul style="list-style-type: none"> <li>▪ CH (Telcos) explains position and emphasises original submission across I-R5 and R7 to include all zones to address gaps in the NES-TF.</li> <li>▪ DB notes ‘customer connections’ definition sought by Top Energy. CH (Telcos) appreciates this but does note those more sensitive zones where it may not be appropriate to permit new ‘poles’ for the purposes of customer connections.</li> <li>▪ GM raises long rights-of-way situations in some environments which might require additional poles, even in residential zones.</li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>▪ Rule should be expanded to cover additional zones.</li> <li>▪ Potential to restrict new poles for customer connections in urban zones/more sensitive zones.</li> <li>▪ Consider restricted discretionary activity status when conditions not complied with.</li> </ul> <p><u>Matters of Disagreement</u></p>	<ul style="list-style-type: none"> <li>▪ DB to send JW example wording for RDIS matters and JW to consider incorporation.</li> <li>▪ Refer to working draft provisions.</li> </ul>



Item	Issue	Discussion points (recorded as acronyms of names above)	Actions and Outcomes E.g., refer to provision XX in marked-up PDP Chapter.
		N/A (no outstanding matters)	
10	I-R7 - New overhead lines, poles, telecommunication antennas, or towers	<ul style="list-style-type: none"> <li>▪ JW notes that intent was not to require more consents for telecommunication facilities and agrees the rule should be expanded to apply to all zones. JW notes that suggestions from Telcos provides a good starting point to amend the rule.</li> <li>▪ Discussion on whether Rural Residential is included in PER-1 clause (b) which enables up to 20m.</li> <li>▪ On colocation, CH (Telcos) asks whether there is a height bonus for colocation from the outset. GM acknowledges this is a matter of whether Council prefer less poles with more height or vice versa.                             <ul style="list-style-type: none"> <li>○ CH (Telcos) states that it will be clear for Council whether or not the application is a colocation initially based on plans.</li> <li>○ Hamilton City and Wellington City are examples of enabling colocation provision. GM further notes Selwyn has variations for colocations.</li> </ul> </li> </ul> <p><u>Matters of Agreement</u></p> <ul style="list-style-type: none"> <li>▪ Telcos happy with direction of provision subject to review. DB also requests to also review provision drafting.</li> <li>▪ Rule should apply in all zones.</li> </ul> <p><u>Matters of Disagreement</u></p> <p>N/A (no outstanding matters)</p>	<ul style="list-style-type: none"> <li>▪ Refer to working draft provisions.</li> <li>▪ JW to consider points raised on colocations.</li> <li>▪ Consequential Change made to I-R15</li> </ul>
11	Substations (I-R10)	<ul style="list-style-type: none"> <li>▪ DB notes the Rule is interesting as, prima facie, having the PA is great but why these zones and not others. Suggests a more nuanced approach should be taken to decide what zones to include/exclude.                             <ul style="list-style-type: none"> <li>○ JW agrees it is worth considering other zones</li> <li>○ DB suggests the use of "all zones except".</li> </ul> </li> <li>▪ Top Energy happy with direction of provision</li> <li>▪ Telcos / Transpower made no comment on this.</li> </ul>	<ul style="list-style-type: none"> <li>▪ JW to consider which zones might be appropriate and make amendments for review.</li> <li>▪ Refer working draft provisions.</li> </ul>
12, 13	National Grid Yard (I-R11), Critical Electricity Lines (I-R12, R13)	Parties agree that Issues 12 and 13 to be taken offline and occur just between relevant submitters (Top Energy and Transpower).	<ul style="list-style-type: none"> <li>▪ JW to have separate conversations with Top Energy and Transpower (took place on 17 December).</li> <li>▪ Refer working draft provisions.</li> </ul>
14	Definition of upgrade	<ul style="list-style-type: none"> <li>▪ Minor upgrade vs upgrade, DB notes these definitions are often not helpful.</li> <li>▪ GM considers this an unnecessary complication to worry about.</li> <li>▪ DB notes his preference is to include definition of upgrade for additional clarity.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Refer to working draft provisions.</li> </ul>