

Before the Far North Proposed District Plan: Hearings Panel

Under the Resource Management Act 1991 (the Act)

In the matter of The Far North Proposed District Plan: – Hearing 6-7 –
Earthworks, Light & Noise, Signs, Temporary Activities
and Genetically Modified Organisms

Between **Far North District Council**

And **Transpower New Zealand Limited**
Submitter 454 and Further Submitter 078

Statement of evidence of Sharon Gail Dines

Dated 14 April 2025

INTRODUCTION

Name, qualifications and experience

1. My full name is Sharon Gail Dines.
2. I am a Director and Principal Planner at Dines Consulting Limited, based in Auckland.
3. I have the qualifications and experience set out in my statement of evidence for Hearing 1 dated 13 May 2024.
4. I was engaged by Transpower in August 2022 to provide planning advice on the Far North Proposed District Plan (FNPDP) and assist with the preparation of its submission and further submission on the FNPDP. I have subsequently been engaged to liaise with Far North District Council reporting officers regarding Transpower's submission and further submission and prepare expert planning evidence in relation to the matters that have been raised in Transpower's submission and further submissions.

Code of Conduct

5. Although this is not an Environment Court hearing, I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court's Practice Note 2023. I have complied with it in the preparation of this evidence and will follow the Code when presenting this evidence. I also confirm that the matters addressed in this statement of evidence are within my area of expertise, except where I rely on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

6. My evidence addresses the Energy, Infrastructure and Transport provisions of the FNPDP. In the interests of brevity, the body of my evidence only addresses key matters. I have attached a table to my evidence (Attachment 1) that records all Transpower's submission and further submission points for Hearing 11, the s42A recommendation to

the submission or further submission and an indication of whether I agree or disagree with the s42A report recommendations.

7. In preparing this evidence, I have read and considered relevant sections of the following documents:
 - (a) Far North Proposed District Plan (FNPDP);
 - (b) Far North Operative District Plan (FNODP);
 - (c) The Hearing 11 s42A reports - Infrastructure prepared by Mr Jerome Wyeth;
 - (d) Minute 13 for the Hearing Panel dated 30 October 2024;
 - (e) Infrastructure Pre-Hearings Summary memorandum and appendices prepared by Mr Jerome Wyeth;
 - (f) Regional Policy Statement for Northland;
 - (g) National Policy Statement on Electricity Transmission 2008 (NPSET); and
 - (h) New Zealand Coastal Policy Statement (NZCPS).
8. In preparing my evidence, I have also relied on the advice of Ms Rebecca Eng, Technical Lead, Environmental Policy, for Transpower.
9. My evidence addresses:
 - (a) The pre-hearing meetings held on the Infrastructure provisions;
 - (b) Two minor corrections I consider is required to new Policy I-Px;
 - (c) A correction to the rule for subdivision of a site within the National Grid Subdivision Corridor (SUB-R9); and
 - (d) My general comments on the infrastructure provisions and set out in the s42A report.

PRE-HEARING MEETINGS ON INFRASTRUCTURE CHAPTER

10. As discussed in paragraphs 30-32 of the s42A report for Infrastructure prepared by Mr Wyeth, at the direction of panel in Minute 13, Far North District Council arranged a series of pre-hearing meetings where a number of submitters on the Infrastructure chapter worked collaboratively with Council staff and consultants to revise the provisions to address matters raised in submissions. Ms Eng and I participated in those meetings and the follow up correspondence although, Ms Eng was not able to attend all of the meetings.
11. In my opinion, the meetings were very productive and I would like to thank the panel for enabling the process, the submitters and my planning colleagues that assisted them, and Mr Wyeth and Mr Witham for the open, collaborative and constructive way in which we worked. The process considerably reduced the amount of evidence and hearing time required.

POLICY I-Px

12. In submission point S454.044, Transpower sought the inclusion of a new policy I-Px. In my opinion, this policy, together with new policy I-Py and modifications to other parts of the Infrastructure chapter are necessary to ensure that the Far FNPDP gives effect to the NPSET, and, critically, resolves potential conflict between the NPSET and other national policy instruments, especially the NZCPS.
13. In my opinion, the provisions as amended in the s42A report now do that.
14. In reviewing the provisions however, I noted that there is a minor error in Clause 6 of I-Px where the clause makes reference to “clause d above” when there is no clause d in Policy I-Px. I believe the reference should be to “clause 4.”
15. I also noted in Clause 2 of the policy, reference is made operational **needs** and functional **needs**, while Clause 6 refers to operational **need** and functional **need**. I suggest the references be standardised to **need** to be consistent with the definitions in the National Planning Standards.

16. I have shown the amendments necessary to address these minor corrections in Attachment 2 to my evidence.

SUBDIVISION RULE SUB-R9

17. In Appendix 1.3 of the s42A report prepared by Mr Wyeth, the activity status for subdivision in SUB-R9 Subdivision of a Site in the National Grid Subdivision Corridor that does not comply with RDIS-1 is specified as “Not applicable.” However, the notified version of the Rule, the activity status for non-compliance with RDIS-1 is “Non-Complying.” Mr Wyeth’s only reference to this matter was to reject the request by Northland Federated Farmers for Subdivision of a Site in the National Grid Subdivision Corridor in the Rural Zone to be a Controlled Activity (see paragraph 324 of the s42A report). I therefore conferred with Mr Wyeth and he confirmed to me that the activity status of subdivision under Rule SUB-R9 when compliance with RDIS-1 is not achieved should be “Non-Complying.” The activity status as shown in Appendix 1.3 of the s42A report is incorrect and should be amended.

GENERAL COMMENTS

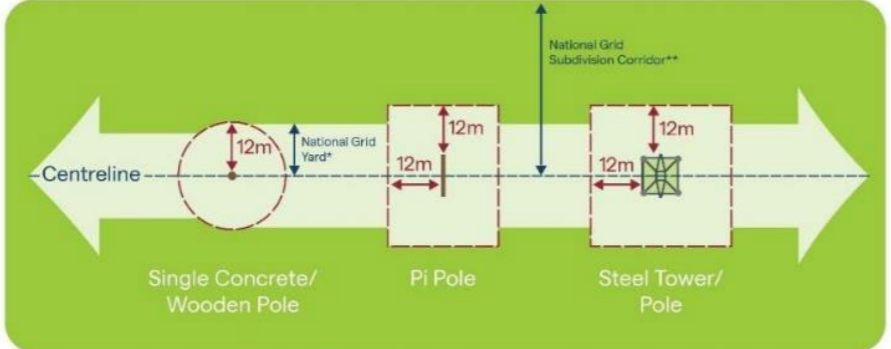
18. The key themes of Transpower’s submission are to ensure:
- (a) The FNPDP gives effect to the NPSET and resolves conflicts with the other National Policy Statements, in particular, the NZCPS;
 - (b) Existing National Grid assets in the Far North can continue to operate without unnecessary constraints;
 - (c) New National Grid assets in the Far North are able to be constructed, operated, upgraded and maintained if required. Although no new National Grid assets are proposed in the Far North at the present time, the need for them cannot be ruled out over the life of the FNPDP.
 - (d) Inappropriate activities within the National Grid Yard and National Grid Subdivision Corridor are avoided or controlled to ensure they do not adversely affect the operation of the National Grid.

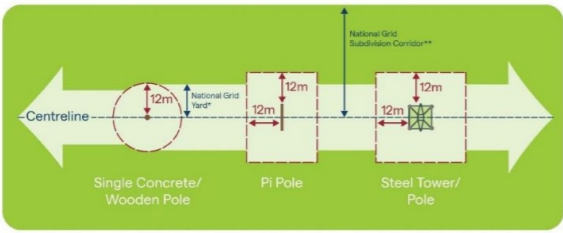
19. In my opinion, the changes made to the Infrastructure provisions in the s42A report address these matters appropriately. In particular, I strongly support the changes to I-O6, the amendments to I-P2, the deletion of I-P3, the inclusion of new policies I-Px and I-Py, the deletion of I-P10, the amendment of I-P11, the changes to the notes section above the Rules, and the amendments to Rule I-R11 and Rule SUB-R9 in the Subdivision Chapter.

Sharon Gail Dines

14 April 2025

Attachment 1

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
Transpower Limited						
S454.009	<p>Delete the proposed definition of NATIONAL GRID CORRIDOR and replace it with the definition of NATIONAL GRID SUBDIVISION CORRIDOR as follows:</p> <p>NATIONAL GRID SUBDIVISION CORRIDOR means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows:</p> <ul style="list-style-type: none"> 14m of a 110kV transmission line on single poles; 16m of a 110kV transmission line on pi poles; 32m of a 110kV transmission line on towers (including tubular steel towers where these replace steel lattice towers); 37 metres of a 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers); <p>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.</p> <p>Note: the National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated</p> <p>Diagram 1: National Grid Yard and National Grid Subdivision Corridor.</p>  <p>* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types ** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage</p>	Amend	Transpower supports the inclusion of a definition of the National Grid Subdivision Corridor within the FNPDP however the definition in the FNPDP is incorrect and requires amendment. In addition, the diagram is not consistent with Transpower requirements and we request that this be amended.		Accept submission in part.	Support
S454.101	<p>Delete the proposed definition of NATIONAL GRID YARD and replace it as follows:</p> <p>NATIONAL GRID YARD means (as shown in Diagram 1):</p> <ul style="list-style-type: none"> • the area located 10 metres either side of the centreline of an overhead 110kV National Grid transmission line on single poles; • the area located 12 metres in any direction from the outer visible edge of a National Grid support structure; • the area located 12 metres either side of the centreline of any overhead National Grid transmission line on pi poles or towers (including tubular steel towers where these replace steel lattice towers). <p>Diagram 1 National Grid Yard and National Grid Subdivision Corridor</p>	Amend	Transpower supports the inclusion of a definition of the National Grid Yard within the FNPDP however the definition in the FNPDP is incorrect and requires amendment.		Accept submission in part.	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	 <p>* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types ** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage</p>					
S454.011	Retain the definition of NETWORK UTILITY OPERATOR .	Support	Transpower supports the inclusion of this definition in the FNPDP.		Accept submission	Support
S454.032- S454.034	<p>Retain the Energy, infrastructure and transport chapter but amend it to ensure that all provisions relating to infrastructure, including the National Grid, are contained within that chapter and cross references within all other chapters of the FNPDP make it clear that the infrastructure provisions apply, or have primacy where necessary.</p> <p>Should the FNPDP not be amended as requested, ensure that the District Wide Matters, Zones and Overlays and other relevant sections of the Plan (such as the How the Plan Works chapter) are amended to ensure that infrastructure is appropriately provided for and the cross-referencing between chapters clearly directs the plan user to the provisions of the Infrastructure chapter that apply to an activity and where these have primacy.</p>	Amend	<p>The Energy, infrastructure and transport chapter of the FNPDP contains provisions that provide for infrastructure, including the National Grid, however not all provisions relating the infrastructure are located within the chapter. The FNPDP contains provisions in a number of other chapters that relate to infrastructure, including the National Grid. These include for example:</p> <ul style="list-style-type: none"> • Natural Hazards • Hazardous substances • Historic Heritage • Ecosystems and indigenous biodiversity • Natural character • Natural features and landscapes • Subdivision • Earthworks • Notable trees <p>Where necessary, Transpower has made more specific submissions on provisions throughout the FNPDP as drafted seeking to ensure that critical infrastructure, such as the National Grid, is appropriately provided for and the NPSET is given effect to efficiently and effectively.</p> <p>However, Transpower's preference is for a standalone set of provisions for infrastructure, including the National Grid, within the Infrastructure Chapter as it avoids duplication (for example in the zone rules) and provides a coherent set of rules which applicants/users can refer to. The ability of the EPlan to provide links within the plan would ensure plan users can be directed to the Infrastructure chapter as required, when looking in other chapters. It could also be made clear that the objectives, policies and rules in the infrastructure chapter have primacy, in accordance with the requirements of the NPSET for example, where there is a conflict.</p>		Accept submission in part	Accept
S454.036	Retain I-O1.				Accept submission	Support
S454.037	Retain I-O2.				Accept submission in part	Support
S454.038	Retain I-O3.				Accept submission in part	Support
S454.039	Retain I-O4.				Accept submission in part	Support
S454-041	Amend I-06 to allow for critical and necessary National Grid infrastructure;	Amend	Transpower supports the intent of this objective however it has some concerns regarding its potential impact on the National Grid.		Accept submission in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	The location of infrastructure does not <u>unnecessarily</u> constrain the ability of tangata whenua to develop land in the Māori Purpose zone or the Treaty Settlement overlay, <u>while recognising the locational, operational or functional needs of infrastructure.</u>		The existing KOE-MPE-A line crosses some areas of Māori Purpose – Rural zoned land. While Transpower supports planning provisions that enable tangata whenua to develop this land, there are locational, operational and functional constraints that mean that certain developments and activities cannot occur in the vicinity of the National Grid. Transpower suggests an amendment to Objective I-O6 to ensure that this is clear and transparent.			
S454.042	Retain I-P1.	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission in part	Support
S454.043- S454.044	Exclude the National Grid from policy I-P2 and I-P3 and provide a National Grid specific policy as follows: <u>I-Px</u> <u>Provide for the development of the National Grid by:</u> 1. <u>In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the Commercial and Mixed Use zones, and areas of high recreational or amenity value and existing sensitive activities.</u> 2. <u>Seek to avoid the adverse effects of the National Grid within areas identified in SCHED4 Significant Natural Areas, SCHED5 Outstanding Natural Landscapes, SCHED6 Outstanding Natural Features, SCHED7 High Natural Character, SCHED8 Outstanding Natural Character, outside the coastal environment.</u> 3. <u>Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by:</u> a. <u>Seeking to avoid adverse effects on areas identified in SCHED4 Significant Natural Areas, SCHED5 Outstanding Natural Landscapes, SCHED6 Outstanding Natural Features, SCHED7 High Natural Character, SCHED8 Outstanding Natural Character.</u> b. <u>Where it is not practicable to avoid adverse effects on the values of the areas in SCHED4 Significant Natural Areas, SCHED5 Outstanding Natural Landscapes, SCHED6 Outstanding Natural Features, SCHED7 High Natural Character, SCHED8 Outstanding Natural Character because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values;</u> c. <u>Seeking to avoid significant adverse effects on:</u> i. <u>other areas of natural character</u> ii. <u>natural attributes and character of other natural features and natural landscapes</u> iii. <u>indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010</u> d. <u>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</u> e. <u>Recognising there may be some areas within SCHED4 Significant Natural Areas, SCHED5 Outstanding Natural Landscapes, SCHED6 Outstanding Natural Features, SCHED7 High Natural Character, SCHED8 Outstanding Natural Character, where avoidance of adverse effects is required to protect the identified values and characteristics.</u> 4. <u>When considering the adverse effects in respect of 1-3 above;</u> a. <u>Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection; and</u> b. <u>Consider the constraints arising from the operational needs or functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</u> <u>In the event that there is a conflict between this policy and any other policies in the Far North District Plan, this policy will prevail.</u>	Amend	Transpower seeks specific National Grid provisions to give effect to the NPSET. While Transpower supports IP-2 and IP-3 in principle, it does not reflect or give effect to the NPSET and is not specific to the National Grid. It also does not provide the 'seek to avoid' approach required by Policy 8 of the NPSET for the more sensitive environments. This is also true for the policy framework for new development of the National Grid within such environments. The inclusion of National Grid specific policies provides a comprehensive policy approach that gives effect to the NPSET. The need to operate, maintain, upgrade and develop the electricity transmission network is recognised as a matter of national significance through the NPSET. This significance applies universally across the country regardless of the nature of the specific National Grid asset. The NPSET Objective recognises that the network itself potentially gives rise to adverse effects, and that other activities can potentially adversely affect the network. The NPSET policies give direction on how to achieve the objective by providing for the recognition of the benefits of electricity transmission, as well as the management of the environmental effects of electricity transmission and the adverse effects of other activities on the transmission network. As such, the NPSET policies impose obligations on both decision-makers and Transpower itself. One of the aspects within the NPSET which must be given effect to in district plans is provisions relating to enabling the National Grid. Policies and plans must provide for the effective operation, maintenance, upgrading and development of the National Grid. The development of National Grid assets gives rise to the potential for adverse environmental effects. Policies 2 to 9 relate to management of the environmental effects of electricity transmission. In particular, Policy 2 states: "In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network." Policies 3 to 5 contain matters which decision-makers must consider, including technical and operational constraints, the route, site and method selection process, and operational requirements. Policy 6 of the NPSET seeks to reduce existing adverse effects where appropriate, while Policies 7 and 8 relate to effects on urban and rural environments respectively. Policy 9 specifically relates to health standards. Policies 2 to 9 are particularly relevant to the FNPDP as they provide the policy framework for managing the environmental effects of electricity transmission		Accept submission in part	Support, with one minor correction in Clause 6 to refer to clause 4, rather than d.

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>Transpower also requests any consequential amendments to other objectives, policies and rules in the FNPDP that may be necessary to fully give effect to the NPSET and implement this new policy.</p> <p>Should a National Grid specific policy not be provided, Transpower seeks amendment to policy I-P2 to give effect to the NPSET.</p>		<p>in recognising and providing for the ongoing operation and development of the National Grid.</p> <p>The development of the National Grid must therefore be managed to ensure the potential for adverse effects is appropriately managed while recognising its significance and the constraints under which it operates. The NPSET requires the District Plan to include objectives and policies that:</p> <ul style="list-style-type: none"> - Allow for the consideration of the technical constraints and operational requirements under which the National Grid operates, for example the linear nature of the transmission lines. - Have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the route, site and method selection. - Ensure new planning and development seeks to avoid adverse effects on more sensitive areas. <p>Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.</p> <p>On this basis, Transpower supports a new policy specific to the development of the National Grid.</p>			
S454.045	<p>Exclude the National Grid from policy I-P2 and I-P3 and provide a National Grid specific policy as set out above in the submission point for I-P2.</p> <p>I-P3 Outside the coastal environment, manage the effects of the development, operation, maintenance and upgrading of infrastructure activities <u>(excluding the National Grid)</u> by:</p> <p>Transpower also requests any consequential amendments to other objectives, policies and rules in the FNPDP that may be necessary to fully give effect to the NPSET and implement this new policy.</p> <p>Should a National Grid specific policy not be provided, Transpower seeks amendment to policy I-P3 to give effect to the NPSET.</p>	Amend	See above		Reject submission	Accept as new I-Px and I-Py policies, together with other changes to I-P3 make this policy acceptable
S454.046	Retain I-P4	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission in part	Support
S454.047	Retain I-P5	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission	Support
S454.048	<p>Amend I-P6 as follows:</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"> a. co-location or multiple use; b. removing redundant facilities or structures; c. using landscaping and/or recessive colours and finishes, <u>if available</u>; d. 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 e. <u>requiring considering</u> the undergrounding of services when locating infrastructure in the coastal environment, a resource overlay, heritage area or an area with high amenity value. 	Support in part	<p>Transpower supports the intent of this policy in the FNPDP, however the requirements for use of recessive colours and finishes in subclause c. and the undergrounding of services in sub clause e. are potentially problematic.</p> <p>The materials needed to construct, operate, maintain, repair and upgrade the National Grid can be quite specialised and may not necessarily be available in a range of recessive colours and finishes.</p> <p>Undergrounding of transmission lines and facilities is not always technically feasible and is very expensive. Underground transmission lines are also difficult to maintain and repair. In addition, if undergrounding of transmission assets is required in the Far North, these costs will ultimately be passed on to electricity users in the district which may be unaffordable.</p>		Reject submission	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
			Transpower therefore proposes changes to the wording of the policy to ensure visual effects are considered and addressed without being unduly onerous or costly.			
S454.049 S454.050	<p>Amend Policy I-P7 to exclude the National Grid and include a new policy I-Py to address adverse effects on the National Grid as follows:</p> <p>I-Py <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"> 1. <u>Avoiding land uses (including sensitive activities) and buildings and structures within the National Grid Yard that may directly affect or otherwise compromise the National Grid;</u> 2. <u>Avoiding reverse sensitivity effects on the National Grid.</u> 3. <u>Only allowing subdivision within the National Grid Subdivision Corridor where it can be demonstrated that the National Grid will not be compromised taking into account:</u> <ol style="list-style-type: none"> a. <u>The impact of the subdivision layout and design on the operation, maintenance, and potential upgrade and development of the National Grid, including the ability for physical vehicle access to existing transmission assets for maintenance, inspections and upgrading;</u> b. <u>The ability of any potential future development to comply with NZECP 34.2001 New Zealand Electrical Code of Practice for Electrical Safety Distances;</u> c. <u>The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a principal building or dwelling can be provided outside of the National Grid Yard for each new lot;</u> d. <u>The risk to the structural integrity of the National Grid;</u> e. <u>The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the National Grid and the potential reverse sensitivity on and amenity and nuisance effects of the National Grid assets;</u> f. <u>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid;</u> g. <u>The outcome of any consultation with, and technical advice from, Transpower.</u> 4. <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> <ol style="list-style-type: none"> a. <u>The extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid;</u> b. <u>The stability of land within and adjacent to the National Grid;</u> c. <u>Risks relating to health or public safety, including the risk of property damage; and</u> d. <u>Technical advice provided by the owner and operator of the National Grid.</u> <p><u>In the event that there is a conflict between this policy and any other policies in the Far North District Plan, this policy will prevail.</u></p> <p>Transpower also requests any consequential amendments to other objectives, policies and rules in the FNPDP that may be necessary to fully give effect to the NPSET and implement this new policy.</p> <p>Should a National Grid specific policy not be provided, Transpower seeks amendment to policy I-P7 to give effect to the NPSET.</p>	Amend	<p>Transpower supports the intent of this policy however it does not reflect or give effect to the NPSET.</p> <p>Transpower seeks specific National Grid provisions in order to give effect to the NPSET. The primary concerns are:</p> <ul style="list-style-type: none"> - The policy does not comprehensively address all activities which may compromise the National Grid. In addition to the health and safety issues of activities locating within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines. The 5eritagen of buildings and activities, particularly 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated. - NPSET Policies 10 and 11 are particularly relevant. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to: <ul style="list-style-type: none"> o Avoid sensitive activities near electricity transmission lines and infrastructure; o Manage other activities to avoid reverse sensitivity effects on the Grid; and o Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised. <p>As proposed, Policy I-P7 does address any of the above adequately.</p> <p>On this basis Transpower seeks a separate policy framework for the National Grid.</p>		Accept submission in part	Support
S454.051	Retain I-P8	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission	Support
S454.052	Retain I-P9	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission	Support
S454.053	Amend I-P10 as follows:	Amend	Transpower supports the policy but suggests an amendment to ensure it covers all aspects of the National Grid.		Accept submission in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	Provide for the operation, maintenance, upgrade, relocation or 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.					
S454.054	Amend I-P11 as follows: 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 <u>or there is a functional or operational need for the infrastructure to be located there.</u>	Amend	Transpower supports the inclusion of this policy in the FNPDP, however the policy needs to acknowledge that there may be some occasions where infrastructure can only be located in a particular location due to a functional or operational need. Transpower suggests the policy be amended to reflect this.		Reject submission	Accept as there are other changes to I-P11 that resolve my concerns
S454.055	Retain I-P12	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission	Support
S454.056	Amend I-P13 as follows: Manage the adverse effects of infrastructure, <u>excluding the National Grid</u> , on the environment by: a. avoiding, remedying or mitigating the adverse effects of substantial upgrades to, or the development of new infrastructure, including effects on: i. natural and physical resources; ii. amenity values; iii. sensitive activities; iv. the safe and efficient operation of other infrastructure; v. the health, well-being and safety of people and communities. b. avoiding radio, electric and magnetic emissions that do not meet the recognised standards or guidelines; c. requiring the undergrounding of network utilities in Urban zones and the Settlement zone where it: a. is technically feasible; b. is justified by the extent of adverse visual effects; and c. provides for the safety of the community. Should the National Grid not be excluded from I-P13, Transpower seeks amendment to the policy to give effect to the NPSET.	Amend	Transpower seeks specific National Grid provisions to give effect to the NPSET. While Transpower supports IP-13 in principle, it does not reflect or give effect to the NPSET and is not specific to the National Grid. It also does not provide the 'seek to avoid' approach required by Policy 8 of the NPSET for the more sensitive environments. The inclusion of National Grid specific policies as discussed in the submission point on I-P2 above provides a comprehensive policy approach that gives effect to the NPSET. For the reasons set out in the submission point on I-P2 above, Transpower supports the exclusion of the National Grid from I-P13 and a new policy specific to the development of the National Grid.		Reject submission	Accept as there are other changes, especially the inclusion of I-Px and I-Py and changes to I-P2 and I-P3 that resolve my concern
S454.057	Amend the chapeau of I-P14 as follows: Manage infrastructure, <u>excluding the National Grid</u> , to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: ...	Amend	Transpower seeks specific National Grid provisions to give effect to the NPSET. While Transpower supports IP-13 in principle, it does not reflect or give effect to the NPSET and is not specific to the National Grid. It also does not provide the 'seek to avoid' approach required by Policy 8 of the NPSET for the more sensitive environments. The inclusion of National Grid specific policies as discussed in the submission point on I-P2 above provides a comprehensive policy approach that gives effect to the NPSET. For the reasons set out in the submission point on I-P2 above, Transpower supports the exclusion of the National Grid from I-P13 and a new policy specific to the development of the National Grid.		Reject submission	Accept as there are other changes, especially the inclusion of I-Px and I-Py and changes to I-P2 and I-P3 that resolve my concern
S454.058	Insert a new Policy <u>Ensure new sensitive activities are appropriately located and/or designed to minimise reverse sensitivity effects on National Grid infrastructure, including by requiring compliance with NZECP 34:2001.</u>	Support	Transpower supports the inclusion of this policy in the FNPDP.		Accept submission in part	Accept
S454.059	Retain I-R1		Although of limited relevance to Transpower given the NESETA, Transpower supports I-R1.		Accept submission	Support
S454.060	Retain I-R2		Transpower supports the inclusion of this rule in the FNPDP.		Accept submission	Support
S454.061	Retain I-R3		Although of limited relevance to Transpower given the NESETA, Transpower supports I-R3.		Accept submission in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
S454.062	Retain I-R6		Transpower supports the inclusion of I-R6 in the FNPDP.		Accept submission in part	Support
S454.063	<p>I-R7 New overhead lines and associated poles, telecommunication and attached antennas, or towers</p> <p>Rural Production zone Rural Lifestyle zone Māori Purpose zone All zones</p> <p>Activity status: Permitted</p> <p>Where: PER-1 Poles or telecommunications poles and attached antenna do not exceed a height of 25m.</p> <p>PER-2 Towers do not exceed a height of 15m.</p> <p>PER-3 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.</p> <p>Activity status where compliance not achieved with PER-1 or PER-2: <u>Restricted</u> Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <u>the functional and operational needs of, and benefits from, the network utility;</u> <u>the potential impact on the levels of service or health and safety if the work is not undertaken;</u> <u>the bulk, height, location and design of the network utility, including any associated building(s) or structures;</u> <u>the impact on the character and qualities of the surrounding area; and</u> <u>any adverse effects on public health and/or safety.</u> <p>Activity status where compliance not achieved with PER-3: Non-complying</p>		<p>Due to their linear nature and the legislative requirement for Transpower to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located, transmission lines may need to traverse any zone within the Far North District.</p> <p>Accordingly, Transpower considers that this rule should apply to all zones in the FNPDP and new facilities that do not comply with the performance standards should have restricted discretionary status.</p>		Accept submission in part	Support
S454.064	<p>Amend Rule I-10 as follows:</p> <p>I-R10 Substations</p> <p>Rural Production zone Rural Lifestyle zone Heavy Industrial zone Light Industrial zone</p> <p>Activity status: Permitted</p> <p>Where: PER-1</p> <ol style="list-style-type: none"> The activity must be landscaped by a strip of vegetation which will screen any buildings or structures; The landscaped plants must achieve the continuous screening within five years and have a depth of 1.5m. 	Amend	<p>Transpower is obligated by legislation to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located. As a result, transmission facilities, including substations, may need to be located in any zone within the Far North District.</p> <p>While it is not necessarily appropriate for substations to be a permitted activity in all zones, they could be appropriately located within industrial zones. For this reason Transpower suggests the Rule be amended to include these zones.</p>		Accept in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	Activity status where compliance not achieved with PER-1: Discretionary					
S454.065	<p>Amend Rule 1-R11 as follows:</p> <p>I-R11 New building or structures, and extensions to existing buildings or structures, in the National Grid Yard</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>PER-1 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.</p> <p>PER-2 Under the National Grid Conductors (wires) the following can occur:</p> <p>1. a fence less than 2.5m in height; 2. an extension to existing buildings used for sensitive activities that do not increase the building envelope; 3. non habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and protective canopies.</p> <p>This rules does not apply to: network utilities within a transport corridor or any part of electricity infrastructure that connects the National Grid:</p> <p>a. 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; b. 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 10m² in area; c. Network utilities as defined in section 166 of the RMA and electricity generation that connects to the National Grid; d. Fences located at least 5m from a National Grid support structure and no more than 2.5m in height; e. Ancillary stockyards and platforms, including those associated with milking sheds (relates to rural activities) located more than 12m from a National Grid support structure f. Uninhabited farm and horticultural buildings and structures located more than 12m from a National Grid support structure and alterations to these buildings and structures g. Artificial crop protection structures or crop support structures not exceeding 2.5 metres in height and located at least 8 metres from a National Grid transmission line pole that:</p> <p>i. Are removable or temporary to allow a clear working space of 12 metres from the pole for maintenance; and ii. Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or iii. Meet the requirements of clause 2.4.1 of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP34:2001)</p> <p>NOTES:</p> <p>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; 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.</p>	Amend	<p>Transpower supports the intent of I-R11 to allow some low-risk activities to occur within the National Grid Yard. However, it requires amendment to give full effect to Policy 10 and Policy 11 of the NPSET.</p> <p>In addition to the health and safety issues of locating activities within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines.</p> <p>The provisions sought in relation to the National Grid Yard are intended to allow for the reasonable use of land inside the transmission line corridor, with standards and rules imposed to ensure that any subdivision, land use and development that might compromise the National Grid is either managed or avoided.</p> <p>Specific to the 10-12 m 'National Grid Yard', Transpower is satisfied that there are some activities within the National Grid Yard that will not compromise the operation, maintenance or any upgrade of the network, due to their nature and small scale.</p> <p>Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 12 m of the line (noting that they will still need to be set back 12 m from National Grid support structures and meet mandatory safety clearances stipulated in other regulations) on the basis they are unlikely to "build out" a transmission line. The access or use of these structures can be restricted without causing animal welfare or business disruption issues, and they do not introduce intensive uses or heavily frequented workplaces with long durations of exposure to risk. Conversely, examples of development that should be avoided within the National Grid Yard include sensitive activities, commercial buildings and intensive uses/development, dairy sheds, piggeries, poultry sheds, and commercial greenhouses. The location of buildings and activities, particularly 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower's ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.</p> <p>Of particular relevance in terms of the effects of activities on the National Grid are NPSET Policies 10 and 11. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to:</p> <ul style="list-style-type: none"> - Avoid sensitive activities near electricity transmission lines and infrastructure; - Manage other activities to avoid reverse sensitivity effects 		Accept submission in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p><u>All Zones</u></p> <p><u>Activity status: Non-complying</u></p> <p><u>Where:</u></p> <p>a. <u>The following activity, building or structure:</u></p> <p>i. <u>A change of use to a sensitive activity within existing buildings or structures;</u></p> <p>ii. <u>The establishment of a sensitive activity;</u></p> <p>iii. <u>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); or</u></p> <p>iv. <u>Wintering barns, Commercial greenhouses, Immovable protective canopies, Produce packing facilities, or Milking Sheds.</u></p> <p>v. <u>All activities not listed as permitted, restricted discretionary or discretionary</u></p>		<p>on the Grid; and</p> <p>- Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised.</p> <p>Notwithstanding support for the rule, amendments are sought to insert lists of permitted activities and non-complying activities to make it clear to plan users those activities that are and are not permitted. This will assist with plan interpretation and application and given the national significance of the National Grid and non-complying activity status for those activities which are not appropriate in the National Grid Yard, will provide certainty for plan users.</p>			
S454.066	<p>Amend Rule I-R15</p> <p>I-R15 New overhead lines and associated poles, telecommunication poles and attached antennas, or towers (excluding the National Grid)</p>	Amend	<p>Given the changes proposed to Rule I-R7, this rule is not required in regards to Transpower. Request amending to exclude the National Grid.</p>		Accept submission in part	Support
S454.067	<p>Delete Rule 1-R18</p> <p>Or amend</p> <p>I-R18 New sensitive activity and any buildings used by a sensitive activity located in the National Grid Subdivision Corridor</p> <p>All zones</p> <p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to where;</p> <p>...</p> <p><u>Non-complying activity where within the National Grid Yard</u></p>	Amend	<p>It is not normally appropriate to locate sensitive activities with the National Grid Corridor. This rule should be deleted and all sensitive activities addressed through Rule I-R20.</p> <p>If the rule is to be retained, the title should refer to the National Grid Subdivision Corridor</p>		Accept submission	Support
S454.068	<p>I-R20 Sensitive activity and any building used by a sensitive activity located within the National Grid Yard or National Grid Subdivision Corridor</p> <p>All zones</p> <p>Activity status: Non-complying</p>	Amend	<p>It is not normally appropriate to locate sensitive activities with the National Grid Yard or the National Grid Subdivision Corridor.</p> <p>Sensitive activities in these locations should be classified as non-complying activities.</p>		Reject submission	Accept as there are other changes to the Rules that resolve my concern.
S454.069	<p>Retain I-R21</p>	Support	<p>Transpower supports the inclusion of I-R21 in the FNPDP.</p>		Reject submission	Accept as there are other changes to the Rules that resolve my concern.
S454.095	<p>Amend the title of the rule and replace the matters of discretion as follows:</p> <p>SUB-R9 Subdivision of a site within the National Subdivision Grid Corridor</p> <p>All zones</p> <p>...</p> <p>Matters over which discretion is restricted:</p>	Support	<p>Transpower supports the inclusion of this subdivision rule in the FNPDP as it gives effect to the NPSET but considers that the matters of discretion could be redrafted to provide improved clarity and certainty for the plan user.</p>		Accept submission	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>a. <u>The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).</u></p> <p>b. <u>The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for physical vehicle access to existing transmission lines and support structures for maintenance, inspections and upgrading.</u></p> <p>c. <u>The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of building platforms.</u></p> <p>d. <u>The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.</u></p> <p>e. <u>The nature and location of any proposed vegetation to be planted within the National Grid Yard.</u></p> <p>f. <u>The outcome of any consultation with, and technical advice from, Transpower.</u></p>					
Horticulture New Zealand						
S159.035	<p>Submission: Rule I-R11 Seeks that there is specific provision for artificial crop protection structures in the National Grid Yard which Transpower has accepted in other plans. There may be situations where reticulation and storage of water for irrigation may need to pass through the National Grid Yard. The key issue is that the activity does not impede access to the National Grid infrastructure Relief sought: Amend PER-2 of Rule I-R11 as follows: Under the National Grid Conductors (wires) the following can occur: 1. a fence less than 2.5m in height; 2. an extension to existing buildings used for sensitive activities that do not increase the building envelope; 3. non habitable buildings ancillary to a farming activity, such as milking sheds, piggeries, poultry sheds, greenhouses and <u>artificial crop protection structures</u> protective canopies.</p> <p>Clarify that 'reticulation and storage of water for irrigation purposes carried out by a network utility operator' is provided as a permitted activity within the National Grid Yard</p>	Support	Transpower supports the relief sought by Horticulture New Zealand. When managed, artificial crop protection structures and reticulation and storage of water for irrigation purposes will not compromise the National Grid. As such, the relief gives effect to Policy 10 of the NPSET.	Allow	Reject submission	Accept
S159.038	<p>Submission: The reticulation and storage of water for irrigation purposes within the National Grid Yard is a non-complying activity. Such an approach is not effects based. The main issue is preventing access to the National Grid. Relief sought: Amend Rule I-R21 to provide for irrigation and water storage where access to the National Grid is not impeded.</p>	Support	Transpower supports the relief sought by Horticulture New Zealand. When managed, reticulation and storage of water for irrigation purposes will not compromise the National Grid.	Allow	Reject submission	Accept
Chorus New Zealand Limited, Spark New Zealand Limited, Spark Tower Co Limited, Vodafone New Zealand Limited						
S282.016	<p>Submission: Infrastructure – Policy I-P3 While it is considered the current working of this policy will allow for certain infrastructure activities to be located in areas of historic/cultural values, significant natural areas and outstanding natural features or landscapes, clause (d) appears to be overly restrictive in considering infrastructure activities (in particular telecommunications activities) noting that this clause appears to capture all adverse effects. These forms of infrastructure tend to be of a smaller footprint when compared to the likes of electricity distribution or pipeline networks and as such, environmental compensation or offsetting on top of restrictions within these areas may not be entirely appropriate noting the scale of such activities and the benefit they provide to the district. It is considered that clauses (a) – (c) appropriately manage effects outside the coastal environmental within areas of historical/cultural values, significant natural areas, and outstanding natural features or landscapes. IB-P4 is considered a more suitable method when addressing the likes of environmental offsetting</p>	Support	Transpower supports this submission for the reasons set out by the telecommunications companies.	Allow	Accept submission in part	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>or compensation and is consistent with the draft National Policy Statement for Indigenous Biodiversity.</p> <p>Relief sought: Amend I-P3 by removing clause (d) Outside the coastal environment, manage the effects of the development, operation maintenance and upgrading of infrastructure activities by:</p> <p>a. Avoiding effects on historical and cultural values, significant natural areas and outstanding natural features or landscapes to the extent practicable; b. Minimising or remedying adverse effects on historical and cultural values, natural environment values that cannot be avoided; c. Recognising the technical, operational and functional needs and constraints of infrastructure activities; and d. Having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.</p>					
S282.029	<p>Infrastructure Section</p> <p>Submission: The general intent of the submission is supported in enabling and protecting infrastructure to serve the district while managing adverse effects through the design and location of such. The section does however require amending to ensure that infrastructure can be delivered in areas where it is required and as currently drafted there is limited scope to deliver infrastructure, for example within urban areas where is currently no scope to deliver new overhead lines or telecommunications infrastructure as permitted.</p> <p>Relief sought: Retain enabling provisions of infrastructure however increase scope to allow for infrastructure activities in areas where there is currently no provision.</p>	Support	Transpower has supported a number of enabling provisions in the infrastructure section of the FNDC and as the owner of the National Grid has an interest in ensuring the development, operation upgrade, repair and maintenance of that critical infrastructure is able to occur as efficiently as possible.	Allow	Accept submission	Support
Ministry of Education						
S331.012- S331.016	<p>Submission: The definition of 'infrastructure' does not include additional infrastructure (which includes educational facilities). Educational facilities are a crucial form of additional infrastructure that is needed to support development. Coordinating educational facilities with the delivery of development will help meet the needs and demand of the local communities. The Ministry wishes to highlight that Council has an obligation under the NPS-UD to ensure sufficient additional infrastructure (which includes social infrastructure such as educational facilities) is provided with development, and local authorities must be satisfied that additional infrastructure to service the development capacity is likely to be available (see Policy 10 and 3.5 of Subpart 1 of Part 3: Implementation, in particular). The Ministry recommends the inclusion of 'additional infrastructure' into the overview section and the specified objectives and policies and that it is added to the definitions chapter.</p> <p>Relief sought: Amend 1-O1, I-O2, I-P1, I-P4 and I-P5 to add "and additional infrastructure" or "(including additional infrastructure)" after "infrastructure"</p>	Oppose	For the reason set out in relation to S331.002, Transpower opposes these submissions.	Disallow	Reject submission	Support
Waka Kotahi						
S356.030	<p>Submission: I-P2 Clarity is sought that new infrastructure is included, and for avoidance of significant adverse effects to apply to areas of high natural character.</p> <p>Relief sought: Suggest amending as follows: In the coastal environment, manage the effects of the new development, operation, maintenance and upgrading of infrastructure activities by:</p> <p>a. avoiding adverse effects on the qualities and characteristics of significant natural areas, outstanding natural features or landscapes, areas of outstanding natural character; b. avoiding significant adverse effects on other natural features and landscapes, and areas of high natural character; c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and</p>	Support	Transpower considers the plan should be as clear as possible.	Allow	Reject submission	Accept

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	d. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.					
S356.031	<p>Submission: I-P3 Waka Kotahi considers that this policy should be amended to be consistent with Policy I-P2 to focus on the qualities and characteristics of significant natural areas and outstanding natural features or landscapes. It should also be recognised that positive effects should not be avoided, and that this should only relate to adverse effects. As above, clarity is also sought, that new infrastructure is included.</p> <p>Relief sought: Outside the coastal environment, manage the effects of the new development, operation, maintenance and upgrading of infrastructure activities by:</p> <ul style="list-style-type: none"> a. avoiding adverse effects on historical and cultural values, qualities and characteristics of significant natural areas, and outstanding natural features or landscapes to the extent practicable; b. minimising or remedying adverse effects on historical and cultural values, natural environment values that cannot be avoided; c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and d. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated. 	Support	Transpower supports this amendment for the reasons set out by Waka Kotahi.	Allow	Reject submission	Accept
Northland Federated Farmers of New Zealand						
S421.024	<p>Submission: Objective I-O3 through its absolute protection of infrastructure will cause significant complications to our members, rural landowners, primary producers along with their everyday activities.</p> <p>Relief sought: Delete Objective I-O3</p>	Oppose	Infrastructure such as the National Grid is critical for enabling people and communities to provide for their economic, social and cultural wellbeing. This is recognised through the objective and policies of the NPSET which requires (amongst other things) the management of activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised. These objectives must be given effect to in the Proposed District Plan, therefore the deletion of Objective I-O3 is inappropriate.	Disallow	Reject submission	Support
S421.039	<p>Submission: Federated Farmers has concerns over policies that seek to restrict certain activities and farm practices on private property. Care needs to be taken when developing policies for district plans that the rights of private landowners to carry out lawful activities are not unnecessarily restricted or prohibited through the Council seeking to protect other land uses such as regionally significant infrastructure. Policies in the proposed district plan should be consistent with the policies contained in national policy instruments and national environment standards. The Council also needs to recognise that for infrastructure that goes across or is on private property, the infrastructure provider will have entered into discussions with the private landowner and the appropriate easements would normally have been registered on the relevant certificate/s of title. The easements provide the necessary level of protection needed for infrastructure to be operated and maintained on private property. As written, the proposed policy has the potential to create reverse sensitivity issues for private property where there is infrastructure located. The policy as drafted does not recognise the role that private property instruments such as easements play in ensuring that infrastructure is able to continue to be accessed and operated and be repaired, maintained, and upgraded. Proposed policy I-P7 also needs to recognise that every national gas network line has its own easement recorded on the appropriate Certificate/s of Title which legally defines the required setbacks and property specific restrictions.</p> <p>Relief sought: Amend Policy I-P7 as follows (inferred): Protect local, regionally and nationally 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>	Oppose	<p>If I-P7 is to apply, or is intended to apply, to the National Grid, the proposed amendment does not give effect to Policies 10 and 11 of the NPSET, which state:</p> <p><i>Policy 10: In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised."</i></p> <p><i>Policy 11: Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent..."</i></p>	Disallow	Reject submission	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>a - d ...</p> <p>e. <u>where there is no evidence of an appropriate easement on the relevant Certificate/s of Title</u>, managing landuse and subdivision activities in proximity to Critical Electricity Lines to...</p> <p>f. <u>where there is no evidence of an appropriate easement on the relevant Certificate/s of Title</u>, managing land disturbance and activities sensitive to gas transmission to avoid, or mitigate potential adverse effects on, gas transmission pipelines; and</p> <p>g. <u>where required</u>, managing other activities, <u>through the use of setbacks set-backs</u> and <u>appropriate</u> design controls <u>where necessary</u>, to achieve the <u>appropriate</u> protection of local, regional and nationally significant infrastructure.</p> <p>Or wording with similar inten</p>					
S421.041	<p>Submission: Rule I-R11 Federated Farmers has concerns that where any new buildings, structures, and extensions to existing buildings or structures, in the National Grid Yard do not comply with the defined performance standards have been classified as non-complying activities. The rule requires compliance with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances as well as the planting requirements from the Electricity (Hazards from Trees) Regulations 2003. The compliance requirements with the Code of Practice and the Regulations should be enough to ensure that that any structures that do not meet the performance standards are safe and do not interfere with the operation of the National Grid. It is unrealistic and creating unwarranted barriers and unnecessary costs for an activity to go directly to being non-complying from permitted. The Resource Management Act 1991 requires that activities avoid, remedy, or mitigate any effects on the environment. The proposed activity status appears to have assumed that activities which do not meet the permitted activity standards produce such severe effects that can only be dealt with through a non-complying resource consent process. This is inappropriate and contrary to Part 2 of the Resource Management Act 1991. Federated Farmers seeks that the activity status be reclassified from non-complying to restricted discretionary. This would make the rule consistent with Rule I-R12</p>	Oppose	The proposed relief does not give effect to the NPSET. The District Plan needs to give a clear signal that it does not contemplate buildings and structures have the potential to give rise to reverse sensitivity effects, compromise the National Grid or are sensitive activities in the National Grid Yard.	Disallow	Reject submission	Support
Top Energy Limited						
S483.053 S483.054	<p>Submission: Infrastructure Note 1 & Note 5 Clarity is needed within the Chapter in terms of what happens where there is overlap between chapters and how the chapter interacts with the Part 3 – Area Specific Matters. With regards to the sensitive environment overlays, the How the Plan Works Chapter indicates that if not specified, the activity is permitted unless otherwise stated. However, this is not made clear in the Chapter, and given the importance of this (and for consistency), to assist Plan users, Note 1 should be extended to re-iterate this (see sub# S483.189-S483.194). Top Energy also highlight that Note 5 means that I-R11, I-R12, and I-R13 would only apply to network utility operators, and have commented on this in the submission points below.</p> <p>Relief sought: Specify that this chapter supersedes/takes precedence over Part 3 – Area Specific Matters. Specify that overlays only manage infrastructure building and structures and that the activities in the Infrastructure Chapter are permitted in the overlays except where more stringent building and structure controls apply subject to amendments sought in the overlays.</p>	Support	Transpower supports this submission because it will improve the clarity of the proposed plan.	Allow	Accept submission	Support
S483.068	<p>Submission: Top Energy considers that Transpower are best placed to comment of provisions relating to the national grid, but given the electricity distribution and transmission networks in the Far North are interdependent, Top Energy supports the protection of these assets. Top Energy also supports the explicit exemption from this rule for any part of electricity infrastructure that connects to the national grid. However, Top Energy notes that as per its comment above in regards to Note 5, these provisions would only apply to work undertaken to by network utility operators and consider that this rule also needs to be replicated within the Zones.</p>	Support	Transpower supports this submission because it will improve the clarity of the proposed plan.	Allow	Accept submission in part.	Support

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>Relief sought: Amend I-R11 to exempt work undertaken by the electricity network utility. Review Plan and amend as necessary to ensure that the rule applies to all plan users, not just network utility providers.</p>					
S483.069	<p>Submission: Top Energy generally supports the inclusion of provisions relating to the Critical Electricity Lines Overlay but seeks that:</p> <ul style="list-style-type: none"> • wording is Included to exempt works with the CEL undertaken by the electricity network utility provider; • that this rule should be applied to all plan users, not just network utility providers (the preference is that provisions that relate to CELS are contained within an overlay chapter for ease of reference); and • 10m either side of the CEL is specified, or a figure is included (similar to Whangārei District Council's approach which specified the corridor width of 10m either side <p>Relief sought: Amend Rule I-R12 to exempt works with the CEL undertaken by the electricity network utility provider. Review Plan and amend as necessary to ensure the rule applies to all plan users, not just network utility providers.</p>	Support	<p>Transpower supports this submission on the basis that it would allow it to undertake works on the National Grid where these occur in proximity to Critical Electricity Lines.</p> <p>Transpower also considers it would improve plan clarity if a definition of Critical Electricity Lines were included in the proposed plan, in light of the use of the phrase "Critical Infrastructure" and associated terms proposed in the Emergency Management Bill.</p>	Allow	Accept submission in part.	Support
S483.070	<p>Submission: Top Energy supports the inclusion of provisions relating to the Critical Electricity Lines Overlay (noting early comments regarding extent) but seek that:</p> <ul style="list-style-type: none"> - wording is Included to exempt works with the CEL undertaken by the electricity network utility provider, - as per the above comments re Note 5, this rule should be applied to all plan users, not just network utility providers. The preference is that provisions that relate to CELs are contained within an overlay chapter for ease of reference), - wording is Included to exempt works with the CEL undertaken by the network utility provider. - 10m either side of the CEL is specified, or a figure is included (similar to Whangārei District Councils approach which specified the corridor width of 10m either side. <p>Top Energy also notes that the Electricity (Hazard from Trees) Regulation 2003 is not linked. As per the above comments in regards to Note 5, seek that this rule be replicated in the Zones.</p> <p>Relief sought: Amend Rule I-R13 to exempt work undertaken by the electricity network utility provider. Review Plan and amend as necessary to ensure the rule applies to all Plan users, not just network utility providers. Include reference to Electricity (Hazard from Trees) Regulations 2003.</p>	Support	<p>Transpower supports this submission on the basis that it would allow it to undertake works on the National Grid where these occur in proximity to Critical Electricity Lines.</p> <p>Transpower also considers it would improve plan clarity if a definition of Critical Electricity Lines were included in the proposed plan, in light of the use of the phrase "Critical Infrastructure" and associated terms proposed in the Emergency Management Bill.</p>	Allow	Accept submission in part.	Support
S483.076	<p>Submission: Top Energy seeks clear direction within the infrastructure that the chapter super In general, Top Energy supports the outcomes sought within this chapter. The nature of this chapter is unique to others in that it seeks to manage a specific activity on a district wide basis. It is not clear how this Chapter interacts with Part 3 - Area Specific Matters. It is assumed that the standards within Part 3 would apply (except where more permissive standards are provided in the REG chapter). However, without specific direction within the chapter confirming that this is the case, this could generate confusion for plan users. The How the Plan works Chapter gives specific direction as to how Part 2: District - Wide Matters interacts with the Sensitive Environment Overlays, but not how this chapter should be treated.</p> <p>Relief sought: Amend the Plan to provide clarity around integration of this chapter with other Chapters in the Plan so that the provisions of the REG chapter have precedence.</p>	Support	Transpower supports this submission as it will improve clarity of the plan	Allow	Missing?	
Radio New Zealand						
S489.017	<p>I-P7 Submission:</p>	Support	Transpower considers these are helpful additions to the policy.	Allow	Reject submission	Accept as there are other

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<p>RNZ support a policy to protect regionally significant infrastructure from incompatible land use. However, at present the policy does not recognise infrastructure associated with network utilities.</p> <p>Relief sought: RNZ consider the following should be added: Protect 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> <p><u>f. managing land use and subdivision activities in proximity to network utilities, including radiocommunication transmitter sites, to:</u></p> <p><u>i. retain the ability for network utility operator to access, operate, maintain, repair and upgrade the infrastructure;</u></p> <p><u>ii. ensure that future buildings do not compromise the effective operation of the network utility.</u></p> <p><u>f.g. managing land disturbance and activities sensitive to gas transmission to avoid, or mitigate potential adverse effects on, gas transmission pipelines; and</u></p> <p><u>g.h. managing other activities, through set-backs and design controls where necessary, to achieve appropriate protection of local, regional and nationally significant infrastructure.</u></p>					changes to the policies that resolve my concerns
Royal Forest & Bird Protection Society of New Zealand						
S511.037	<p>Submission: Infrastructure Chapter This chapter is confusing because it appears to use RSI and infrastructure in the objectives and policies interchangeably. In many instances under the RPS only RSI gains access to the mitigation hierarchy, not all infrastructure in general. The definition of RSI is already broad and bringing in all of infrastructure is not warranted.</p> <p>Relief sought: Insert objectives that separate out infrastructure from RSI.</p>	Support	Transpower agrees that the chapter uses a number of related but different terms interchangeably. It would assist with implementation of the proposed plan if the use of different terms was clarified.	Allow	Reject submission	Support
S511.038	<p>Submission: Infrastructure Chapter This chapter is confusing because it appears to use RSI and infrastructure in the objectives and policies interchangeably. In many instances under the RPS only RSI gains access to the mitigation hierarchy, not all infrastructure in general. The definition of RSI is already broad and bringing in all of infrastructure is not warranted.</p> <p>Relief sought: Insert policies that separate out infrastructure from RSI.</p>	Support	Transpower agrees that the chapter uses a number of related but different terms interchangeably. It would assist with implementation of the proposed plan if the use of different terms was clarified.	Allow	Reject submission	Support
S511.042	<p>Submission: The policy does not give effect to the RPS, policies 5.3.3, 4.4.1(3) and 4.6.1.</p> <p>Relief sought: Insert two new policies for Regionally Significant Infrastructure: <u>Outside the coastal environment manage the effects of new and the re-consenting of existing Regionally Significant Infrastructure by:</u></p> <p><u>g. avoiding effects on historical and cultural values, significant natural areas, and outstanding natural features or landscapes to the extent practicable;</u></p> <p><u>h. minimising mitigating or remedying adverse effects on historical and cultural values, natural environment values that cannot be avoided;</u></p> <p><u>i. recognising the technical, operational and functional needs and constraints of infrastructure activities;</u></p> <p><u>j. Biodiversity offsetting more than minor residual adverse effects that cannot be avoided, remedied or mitigated; and</u></p> <p><u>k. If more than minor residual adverse effects remain after biodiversity offsetting then consider Environmental biodiversity compensation measures to ensure that any residual adverse effect is no more than minor.</u></p> <p>And then add a new policy to address maintenance, operation and upgrading of RSI <u>Outside the coastal environment manage the effects of operation, maintenance and upgrading of existing Regionally Significant Infrastructure by:</u></p> <p><u>a. Avoiding significant adverse effects and the adverse effects after the conclusion of the maintenance or upgrading or operation are the same or similar to before the activity being undertaken; and</u></p>	Oppose	Transpower opposes the inclusion of this policy because the definition of Regionally Significant Infrastructure in the RPSN includes the National Grid and this policy could therefore apply to the National Grid in the Far North, however the policy does not give effect to the NPSET. Transpower would prefer a standalone policy that relates to the National Grid.	Disallow	Accept submission in part	Accept as there are other changes to the policies that resolve my concerns

Submission Reference	Provision Submission and Relief Sought	Support/Oppose	Reason	Allow/Disallow	S42A response	Response to recommendation
	<u>b. Then consider offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated.</u>					
S511.044	Relief sought: Amend I -P10 to reflect that there may be instances in the Coastal Environment where avoidance of indigenous biodiversity may be required	Oppose	Policy 1-P10 relates to existing National Grid assets in the Far North. There are no existing National Grid assets in the coastal environment in the Far North so the relief requested is not relevant or necessary.	Disallow	Reject submission	Support

Attachment 2

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:

1. having regard to the extent to which adverse effects have been avoided, remedied or mitigated by route, site and construction method selection;
2. considering the constraints imposed by the operational needs or functional needs of the National Grid on measures to avoid, remedy or mitigate adverse effects;
3. avoiding, remedying or mitigating adverse effects where practicable;
4. seeking to avoid adverse effects on:
 - a. the characteristics, qualities and values of outstanding natural character areas in the coastal environment;
 - b. the characteristics, qualities and values of outstanding natural landscapes and outstanding natural features;
 - c. Threatened and At-Risk indigenous species and areas of significant indigenous vegetation and significant habitat of indigenous fauna;
5. seeking to avoid significant adverse effects on:
 - a. the characteristics, qualities and values of natural character and natural features and landscapes in the coastal environment not identified as outstanding;
 - b. areas of predominately indigenous vegetation and indigenous species, habitats and ecosystems that are particularly vulnerable to modification;
 - c. the characteristics, qualities and values of natural character of wetland, lakes and river margins;
6. where it is not practicable to avoid adverse effects on the values of the areas listed in clause ~~4d~~ above within the coastal environment because of the functional need or operational need of the National Grid:
 - a. 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
 - b. otherwise remedy or mitigate adverse effects on the characteristics, qualities and values.

Where there is a conflict with other policies in this District Plan, this policy prevails.