

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson

Mark St Clair

Miria Pomare

SUBJECT:

Proposed Porirua District Plan: Infrastructure

PREPARED BY:

Rory Smeaton, Senior Policy Planner

REPORT DATED:

3 December 2021

DATE OF HEARING:

8-9, 11, 14 - 15 February 2022

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, definitions and maps of the Proposed Porirua District Plan (PDP) as they apply to the INF-Infrastructure Chapter. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on the INF-Infrastructure chapter. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
 - Restricting the Infrastructure chapter to regionally significant infrastructure;
 - Relationship with overlays;
 - Transport infrastructure;
 - National Grid;
 - Sub-transmission lines;
 - Management of ecosystems and indigenous biodiversity affected by infrastructure;
 - Gas Transmission Pipeline; and
 - Public walking and cycling tracks.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. The INF-Infrastructure chapter is also subject to a number of consequential amendments arising from submissions to the whole of the PDP and other chapters.
5. I have recommended some changes to the PDP provisions to address matters raised in submissions and these are summarised below:
 - Amending FC-O2 to refer to the 'national' significance of the National Grid;
 - Amendments to the INF – Infrastructure chapter introduction to clarify the relationship with the TR – Transport chapter, list the NOISE – Noise chapter in the note relating to the provisions that apply to infrastructure, and incorporating a note relating to the backup emergency generators at Radio New Zealand's Titahi Bay facilities;
 - Replacing reference to 'overlays' with 'specified overlays' in most instances;
 - Amending the INF – Infrastructure objectives:
 - Amending INF-O3 to refer to 'plan-enabled' subdivision, use and development, and re-order some of the objective wording;
 - Amending INF-O4 to refer to the safety of the transport network, and inclusion of the word 'connected';
 - Amending INF-O5 to refer to adverse effects of infrastructure 'on the environment' and amend clause two to differentiate whether the values and characteristics of overlays to be protected are included in the policy with the prefix 'identified' or not;

- Amending the INF – Infrastructure policies:
 - Amendments to INF-P1-4 to include the word ‘potable’, INF-P2 to include the word ‘resilience’, and INF-P3 to refer to ‘plan-enabled’;
 - Amendments to INF-P4 to refer to ‘associated’ earthworks, amend clause two to clarify that it relates to the upgrading of infrastructure and incorporation of the phrase ‘planned urban built environment’, and amend clause three to differentiate whether the values and characteristics of overlays to be protected are included in the policy with the prefix ‘identified’ or not;
 - Splitting and reordering of INF-P5 so that the protection of the National Grid is dealt with in a separate policy, and referring to ‘use and development’ as well as subdivision;
 - Adding a new policy to address the adverse effects on the National Grid separately from other infrastructure;
 - Adding a new policy to address the operation, maintenance and repair of the National Grid separately from other infrastructure;
 - Including reference to SCHED11 - Coastal High Natural Character Areas in INF-P7;
 - Amending the title of INF-P8 to ‘Potentially acceptable infrastructure’, clarifying that it does not apply to the National Grid, and clarifying that the matters listed are also considered in relation to infrastructure within overlay areas;
 - Reordering some wording in INF-P9-1.c;
 - Amending INF-P11 to clarify the standards and guidelines that are relevant;
 - Amending INF-P13 to delete the phrase ‘as far as practicable’, including additional matters in clause 6.a, providing for some no-exit roads in clause 6.b;
 - Transferring INF-P14 to the TR – Transport chapter;
 - Including reference to the criteria in TREE-P5 in INF-P19;
 - Amending INF-P23-3 to refer to the resilience of infrastructure rather than vulnerability;
 - Amending INF-P25 to include reference to habitable buildings;
 - Amending INF-P27 to refer to ‘official’ signs;
- Amending the notes to the rules INF – Infrastructure to clarify the applicability of the Plan to; sub-transmission lines, and the NES-TF;
- Amending the INF – Infrastructure rules:
 - Removing regulation of activities within wetlands;
 - Deleting the s88 requirements for road safety audits;
 - Deleting the notification preclusion statements from INF-R1-2 and INF-R25-3;
 - Amending INF-R2 to clarify the external standards that must be complied with;

- Amending headings of INF-R3 and INF-R5 to refer to 'Infrastructure maintenance and repair...';
- Amending INF-R6, INF-R7 and INF-R8 to exclude walkways, cycleways and shared paths from the rules;
- Amending INF-R7 and INF-R8 to refer to transmission lines 'at or' over 110kV;
- Amending INF-R8 to refer specifically to Flood Hazard and Coastal Hazard overlays, and differentiate requirements between low, and high and medium hazard areas;
- Adding a permitted activity rule for upgrading of infrastructure within the root protection area of a tree listed in SCHED5 - Notable Trees, and amendments to INF-R40 to remove upgrading activities;
- Amending INF-R9 to clarify that it applies to new, extensions to and upgrading of walkways, cycleways and shared paths, and making these activities at least a controlled activity within SNAs;
- Amending INF-R22 to require compliance with INF-S14, delete the requirement to comply with INF-S8, and include reference to a new specific standard for these activities;
- Transferring INF-R23 to the TR – Transport chapter;
- Clarifying INF-R25 through an additional note that it does not apply to the infrastructure providers who own and operate the infrastructure;
- Amending INF-R41 to refer to 'new' infrastructure, and include ancillary access tracks;
- Amending INF-R43 to refer to 'new' infrastructure;
- Amend the INF – Infrastructure standards:
 - Correct the wording of the clauses relating to earthworks for walkways, cycleways and shared paths;
 - Remove the limitation of trenching to activities relating to underground infrastructure;
 - Amendments to INF-S1 to simplify clauses three, six and 10;
 - Amendments to INF-S7 to clarify that the area limits apply to the face area of antennas, and increase the face area to 1.5 square metres in some zones;
 - Amend INF-S8 to exclude ancillary transport network infrastructure;
 - Amend INF-S13 to clarify that it relates to above ground infrastructure;
 - Amendments to INF-S14 to provide for directional drilling and augured holes, allow for trenching except for within 1.5 of the foundation of a building or structure, and exclude the need for maintenance and repair works within the formed width of the road to comply with the standard;

- Amending INF-S16 to clarify the requirements for earthworks;
- Amending INF-S18 to clarify the requirements for activities relating to walkways, cycleways and shared paths, and add a note relating to the NES-ETA;
- Amending INF-S19 to be consistent with the recommended amendments to TREE-S1 set out in the section 42A report authored by Ms Rachlin on the TREE – Notable Trees chapter, and include a note clarifying the relationship with the Electricity (Hazards from Trees) Regulations 2003;
- Amending INF-S23 to; provide for no-exit roads in some situations; clarifying clause 4; including the Waka Kotahi Pedestrian Planning and Design Guide in clause 5; setting a maximum gradient of ten percent for all roads; deleting requirements for curves in roads (and deleting the associated INF-Table 3); including a standard relating to the zoning of roads; clarifying clause 9; and deleting the exclusion of road gardens in clause 10.e;
- Amending INF-Table 1 to provide for more roading typologies with reduced minimum legal widths;
- Amending INF-Table 2 to clarify and include additional setback requirements;
- Amending INF-S24 to simplify the standard for car parks in roads, and deleting the associated INF-Table 4, INF-Figure 1, INF-Figure 2 and INF-Figure 3;
- Amending INF-S25 to include a clause relating to intersection separate distances (and a new associated table), maximum approaches to intersections (and replacing the associated INF-Figure 4), and precluding roundabouts and signalisation of intersections;
- Amending INF-Table 3 to provide a simplified requirement for sight distances at intersections;
- Transferring the requirements of INF-S26 and the associated INF-Figure 5, INF-Table 6 to the TR-Transport chapter;
- Adding a new specific standard for ancillary transport network infrastructure;
- Amending INF-S27-2 to include reference to the NZ Cycle Trail Design Guide (2019) for paths associated with Ngā Haerenga New Zealand Cycle Trails.
- Consequential renumbering of the INF- Infrastructure chapter;
- Amending ECO-R1, ECO-R4, CE-R1, CE-R2 and CE-S1 to delete reference to public walking or cycling tracks;
- Amend the zone chapter setback standards to include a setback from rail corridors;
- Amending the Definitions chapter to:
 - Amend the 'ancillary transport network infrastructure' definition to include micro-mobility lockup, and limit its application to infrastructure installed by a network utility operator;

- Amend the 'Annual average daily traffic movement' definition to delete 'movement';
 - Add a new definition for 'carriageway';
 - Amend the definition of 'Maintenance and repair' to clarify that it applies to infrastructure, and include replacement and renewal in some instances;
 - Replacing the definition of the National Grid with the definition from the NPS-ET;
 - Amend the definition of 'National Grid Corridor' to 'National Grid Subdivision Corridor';
 - Amend the definition of 'Planned network upgrade' to include the Wellington Regional Public Transport Plan;
 - Delete the definition of 'Pole';
 - Amend the definition of 'Regionally significant infrastructure' to include pipelines for the distribution of natural or manufactured gas;
 - Amend the definition of 'tower' to instead relate to 'Electricity transmission tower';
 - Amendments to broaden the definition of 'Traffic sign';
 - Amendment to the definition of 'Trenching' to remove the limitation to underground infrastructure and include telecommunication and radio communication infrastructure, and clarify that it relates to temporary excavations that are reinstated upon completion;
 - Amend the definition of 'Upgrading' to specify that it includes relocation and replacement, and changes to size and pressure;
- Consequential renumbering.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
7. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

| Abbreviation | Means |
|------------------------|---|
| the Act / the RMA | Resource Management Act 1991 |
| the Council | Porirua City Council |
| the Operative Plan/ODP | Operative Porirua District Plan 1999 |
| the Proposed Plan/PDP | Proposed Porirua District Plan 2020 |
| GWRC | Greater Wellington Regional Council |
| NES | National Environmental Standard |
| NES-AQ | National Environmental Standards for Air Quality 2004 |
| NES-CS | National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 |
| NES-ETA | National Environmental Standards for Electricity Transmission Activities 2009 |
| NES-FW | National Environmental Standards for Freshwater 2020 |
| NES-MA | National Environmental Standards for Marine Aquaculture 2020 |
| NES-PF | National Environmental Standards for Plantation Forestry 2017 |
| NES-SDW | National Environmental Standards for Sources of Drinking Water 2007 |
| NES-TF | National Environmental Standards for Telecommunication Facilities 2016 |
| NPS | National Policy Statement |
| NPS-ET | National Policy Statement on Electricity Transmission 2008 |
| NPS-FM | National Policy Statement for Freshwater Management 2020 |
| NPS-UD | National Policy Statement on Urban Development 2020 |
| NPS-REG | National Policy Statement for Renewable Electricity Generation 2011 |
| NZCPS | New Zealand Coastal Policy Statement 2010 |
| ONRC | One Network Road Classification |
| PNRP | Proposed Wellington Natural Resources Plan (Decisions Version) 2019 |
| RPS | Wellington Regional Policy Statement 2013 |

Table 2: Abbreviations of Submitters' Names

| Abbreviation | Means |
|--------------------------|---|
| Dept of Corrections | Ara Poutama Aotearoa the Department of Corrections |
| DOC | Department of Conservation Te Papa Atawhai |
| FENZ | Fire and Emergency New Zealand |
| Foodstuffs | Foodstuffs North Island Limited |
| Forest and Bird | Royal Forest and Bird Protection Society |
| GWRC | Greater Wellington Regional Council |
| Harvey Norman | Harvey Norman Properties (N.Z.) Limited |
| Heritage NZ | Heritage New Zealand Pouhere Taonga |
| House Movers Association | House Movers section of the New Zealand Heavy Haulage Association Inc |
| Kāinga Ora | Kāinga Ora – Homes and Communities |

| | |
|-----------------|---|
| KiwiRail | KiwiRail Holdings Limited |
| KLP | Kenepuru Limited Partnership |
| NZDF | New Zealand Defence Force |
| Oranga Tamariki | Oranga Tamariki – Ministry of Children |
| QEII | Queen Elizabeth the Second National Trust |
| RNZ | Radio New Zealand |
| Survey+Spatial | Survey+Spatial New Zealand (Wellington Branch) |
| Telcos | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited |
| Transpower | Transpower New Zealand Ltd |
| TROTR | Te Rūnanga o Toa Rangatira |
| Waka Kotahi | Waka Kotahi NZ Transport Agency |
| WELL | Wellington Electricity Lines Limited |
| Woolworths | Woolworths New Zealand Limited |

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

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the INF-Infrastructure chapter and the related Strategic Objectives and to recommend possible amendments to the PDP in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant strategic objectives, objectives, policies, rules, definitions and maps as they apply to the INF-Infrastructure chapter in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
12. The recommendations are informed by both the technical evidence provided by Ms Harriet Fraser in respect of transportation engineering, which is available on the hearings portal, and the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports.
13. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP, and the following officer's report for district wide chapters which relate to aspects of the INF-Infrastructure chapter:
 - Officers' Report: Part A Overarching Report
 - Officers' Report: Part B – Coastal Environment;
 - Officers' Report: Part B – Ecosystems and Indigenous Biodiversity;
 - Officers' Report: Part B – Notable Trees;
 - Officers' Report: Part B – Natural Environment Strategic Objectives

1.2 Author

15. My name is Rory McLaren Smeaton. My qualifications and experience are set out in Appendix E of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for the INF-Infrastructure, AR-Amateur Radio, REG-Renewable Electricity Generation, and SIGN-

Signs chapters. I also authored the Section 32 Evaluation Report for the Noise and Light topic, and assisted in the preparation of the Section 32 Evaluation Report for the TR-Transport chapter.

18. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to the INF-Infrastructure chapter. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Gina Sweetman has responded to the submissions on Strategic Objectives FC-O1 and FC-O2. Her qualifications and experience are set out in Appendix C of the Officer's Report: Part B – Strategic Directions – Natural Environment.
21. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
22. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

23. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the expert evidence of Ms Harriet Fraser, Harriet Fraser Transportation Engineering and Transport Planning.

1.4 Key Issues in Contention

24. A number of submissions and further submissions were received on the provisions of the INF-Infrastructure chapter. The submissions received were diverse and sought a range of outcomes; including for example making the provisions more enabling, and conversely making the provisions more restrictive in relation to sensitive environments such as SNAs and wetlands.
25. I consider the following to be the key issues in contention in the chapter:
 - Restricting the Infrastructure chapter to regionally significant infrastructure;
 - Relationship with overlays;
 - Transport infrastructure;
 - National Grid;
 - Sub-transmission lines;
 - Management of ecosystems and indigenous biodiversity affected by infrastructure;
 - Gas Transmission Pipeline; and

- Public walking and cycling tracks.
26. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

27. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

2 Statutory Considerations

2.1 Resource Management Act 1991

28. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- section 74 Matters to be considered by territorial authority; and
 - section 75 Contents of district plans.
29. As set out in the Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Infrastructure. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A.

2.2 Section 32AA

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

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

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

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

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

(d) must—

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

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

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

31. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the INF-Infrastructure chapter is appended to this report as Appendix C as required by s32AA(1)(d)(ii).

2.3 Trade Competition

32. No consideration of trade competition has been given with respect to the INF-Infrastructure chapter.
33. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

34. There were approximately 498 original submissions received on the INF – Infrastructure chapter, and approximately 237 further submissions received. Of these, many were from a small number of submitters, with Kāinga Ora making approximately 116 (23 percent) of the original submissions and 83 (35 percent) of the further submissions, and Forest and Bird making approximately 46 (nine percent) of the original submissions.
35. The main themes of the submissions on the INF – Infrastructure chapter included amendments to make the provisions more enabling (particularly from infrastructure providers and Kāinga Ora), and conversely making the provisions more restrictive in relation to sensitive environments such as SNAs and wetlands (particularly Forest and Bird). The themes have informed the structure of this report, which includes separate sections on:
- General submissions;
 - Restricting the Infrastructure chapter to regionally significant infrastructure;
 - Relationship with overlays;
 - Transport infrastructure;
 - National Grid;
 - Sub-transmission lines;
 - Ecosystems and indigenous biodiversity;
 - Gas Transmission Pipeline; and
 - Public walking and cycling tracks.
36. Additionally, this report also addresses submissions received on infrastructure-related provisions in other chapters, including in relation to relevant strategic objectives, provisions protecting the National Grid and Gas Transmission Pipeline Corridor within zone and district-wide chapters, and definitions related to infrastructure.

3.1.1 Report Structure

37. Submissions on the INF-Infrastructure chapter raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
38. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
39. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally.

This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

40. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Generally, where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B; however, in some cases for clarity I have also explained my reasoning for agreeing with submissions I have agreed with in the body of the report, particularly where there are relevant further submissions. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.
41. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

42. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
 - Matters raised by submitters;
 - Assessment; and
 - Summary of recommendations
43. The recommended amendments to the relevant chapter are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.
44. I have undertaken the s32AA evaluation in a consolidated manner following the assessment and recommendations on submissions in this section, which is attached at Appendix C.
45. Note that there are further submissions that support submissions in their entirety:
 - The further submission from Forest and Bird [FS52] supports the submission from Director-General of Conservation [126], Queen Elizabeth II National Trust [216] and GWRC[137] in their entirety; and
 - The further submission from Queen Elizabeth II National Trust [FS06] supports the submission from Director-General of Conservation [126] and Forest and Bird [225] in their entirety.
46. In these cases, recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.

3.2 General Submissions

3.2.1 Matters raised by submitters

47. Kāinga Ora [81.240] seeks amendments consistent with its overall submission on the PDP, including:
 - All rules relating to Transport being located within the TR chapter, not within the INF chapter of the PDP;
 - Complete reconsideration of the road and access design standards;
 - Deletion of the National Grid provisions;
 - Deletion of reference to any design guidelines or land development standards as de facto rules to be complied with;
 - Recognition through policy wording that the zones 'enable' certain types of development rather than 'allow';
 - Redrafting of non-notification clauses; and
 - Consequential renumbering.
48. I also note that Kāinga Ora [81.940] requests amendments throughout the PDP to replace the term 'avoiding' with 'discourage', for the reason given the specific meaning that 'avoid' has following on from *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 ("King Salmon").
49. The reasons for these amendments include that the location of transport infrastructure provisions within the INF – Infrastructure chapter makes navigating the PDP cumbersome and requires continual cross referencing. Similarly, the submitter states that provisions to manage the effects of other activities on network utilities spread throughout the PDP creates considerable duplication and confusion when navigating the PDP.
50. Waka Kotahi [82.297] seeks amendments to the INF - Infrastructure chapter to ensure the ongoing operation and functional needs of regionally significant infrastructure are not compromised.
51. The Aggregate and Quarry Association [104.13] does not seek any specific amendments, but states that it does not appear that there is any explicit connection between recognising supporting industries or activities, for example quarries, that are needed to construct and support infrastructure.
52. Forest and Bird [225.102] seeks that:
 - The scope of the chapter, relationship with other chapters, and the provision for overlays within the context of this chapter be clarified;
 - The chapter be amended to be specific to Regionally Significant Infrastructure;
 - Combining infrastructure and renewable energy chapters be considered;
 - The provisions be amended to allow for full consideration of the ECO chapter where:

- an activity is considered within an Overlay or within 15m of an SNA or natural wetland
 - the development of new infrastructure is proposed within an SNA or natural wetland, and to make the rule activity status non-complying;
 - the development of new infrastructure is proposed outside of an SNA but would require the clearance of indigenous vegetation, and to make the rule activity status discretionary.
53. The reasons stated by Forest and Bird for these changes, are that; the scope of the chapter is uncertain; the scope appears to include infrastructure beyond Regionally Significant Infrastructure (RSI) and the National Grid to infrastructure that does not have any specific mandate from higher order documents; these issues create uncertainty and potential inconsistency for applying the ECO provisions; the approach taken means that objectives of other chapters are not able to be considered in consent processes; reference to specific policies in other chapters is not sufficient for integration of those matters within this chapter; other chapters set out matters which should be considered prior to infrastructure provision.
54. Powerco Limited [83.86] seeks that the Plan be drafted to ensure:
- The sustainable management of assets as a physical resource;
 - Effect is given to the policies of the WRPS;
 - Appropriate provision is made for the on-going operation, repair and maintenance of the network, including ensuring that pipelines can be accessed;
 - Appropriate provision is made for the existing network to be upgraded in order to meet energy growth demands;
 - Appropriate provisions for new pipelines as and when required;
 - Protection of the existing network from issues of reverse sensitivity; and
 - Maintenance of amenity and public safety around gas pipelines.
55. The submitter's reasons for this are that It is critical that the planning documents that guide development within the Porirua District adequately provide for the core strategic infrastructure that is required to support growth, and that the WRPS will not be given effect to and the sustainable management purpose of the RMA will not be promoted if these issues are not appropriately addressed.
56. Radio New Zealand Limited [121.2 and 121.3] seeks amendments in relation to certain provisions. The reasons stated by the submitter is that it considers it important that the plan recognises; the contribution of infrastructure and network utility operations to the social, economic and cultural wellbeing of the district; the geographical and technical constraints of infrastructure and network utilities in relation to land use and subdivision activities; and the need to avoid reverse sensitivity effects on significant infrastructure and network utility operations, for the benefit of the community.

3.2.2 Assessment

57. The submissions from Kāinga Ora [81.240], Waka Kotahi [82.297], Forest and Bird [225.102] and Powerco Limited [83.86] included specific amendments to the INF – Infrastructure chapter within their submissions to address the issues raised in the general submission points above. The specific amendments sought by these submitters are assessed through consideration against the relevant Plan provisions in the sections below. Generally, some, but not all, of the amendments sought by these submitters are accepted. As such, I do not consider that any further assessment of these general points is required.
58. The submission from the Aggregate and Quarry Association [104.13] does not seek any specific amendments to the INF – Infrastructure Chapter. However, I note that I consider that the issue raised, being no explicit recognition of supporting industry or activity, is not a matter that needs to be addressed in the INF – Infrastructure chapter. The supporting industries and activities, such as quarrying, are recognised more generally in the zone chapters.
59. I consider that the INF – Infrastructure Chapter appropriately addresses the matters raised by Radio New Zealand Limited [121.2 and 121.3], specifically through INF-O1 and INF-O2, and INF-P1 and INF-P5. The specific amendments to the Plan sought by the submitter will be addressed through the s42A report of the SUB – Subdivision chapter in Hearing Stream 5.
60. In relation to the general Plan-wide submission from Kāinga Ora [81.940] regarding the term avoid, this matter is addressed in relation to the specific provisions in the section below, where relevant. I note that there is some contradiction in the submission from Kāinga Ora, as they do not always appear to oppose the use of the term 'avoid' such as in relation to INF-P11, which uses the term 'avoid' but which Kāinga Ora supports and seeks to be retained.

3.2.3 Summary of recommendations

61. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.240], Waka Kotahi [82.297], Forest and Bird [225.102], Powerco Limited [83.86] and Radio New Zealand Limited [121.2 and 121.3] be **accepted in part**.
62. I recommend that the submission from Aggregate and Quarry Association [104.13] be **rejected**.
63. I recommend that the submissions from Radio New Zealand Limited [121.2 and 121.3] be noted.
64. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.3 Restricting the INF-Infrastructure Chapter to Regionally Significant Infrastructure

3.3.1 Matters raised by submitters

65. The submissions from Forest and Bird [225.31, 225.104, 225.105, 225.106, 225.108, 225.110, 225.122, 225.123, 225.124, 225.125, 225.126, 225.128, 225.129, 225.130 and 225.133] seek:
 - Separation of the provisions for regionally significant infrastructure from other infrastructure, and consideration of separate chapters;

- Deletion of INF-P2, or alternatively identification of what 'other infrastructure' is covered by the policy and distinction in the rules implementing the policy;
 - Amendments to INF-P4, INF-P20, INF-P21, INF-P22, INF-P23 and INF-P26 and INF-O4, INF-O3 and INF-O5 to refer to regionally significant infrastructure, rather than infrastructure generally; and
 - Clarification that INF-R3, INF-R4 and INF-R5 either relate to regionally significant infrastructure and/or to other infrastructure.
66. The reasons stated for these submissions includes that the combination of regionally significant infrastructure with other infrastructure in the provisions is confusing and inappropriate when considering the policy direction of the RPS specific to regionally significant infrastructure.
67. In relation to INF-P2 [225.108], the reasons given are that the policy appears to relate to infrastructure, which is addressed within other chapters, it is uncertain what 'other' infrastructure is considered that is not regionally significant infrastructure.

3.3.2 Assessment

68. I note that, specific to energy, infrastructure and transport, the National Planning Standards state that:

5. Provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, infrastructure and transport heading. [...]

69. While this provides some flexibility, in that multiple chapters could be included under the heading, I consider including a separate chapter for regionally significant infrastructure would lead to unnecessary duplication and be more confusing than the current approach of all infrastructure provisions being located within the INF – Infrastructure chapter. For example, local roads that carry core bus routes as part of the region's public transport network, or classified as a high productivity motor vehicle route, would be considered as 'regionally significant infrastructure', while all other local roads would be 'other infrastructure'. This would result in an artificial separation of the provisions for local roads. I therefore consider that the alternative sought by the submitter, including the amendments to the provisions noted above, would not be efficient or effective.
70. Specifically in relation to the submission point on INF-P2 [225.108], I note that as defined in the Plan, infrastructure such as local roads, walkways and cycleways not included in the Strategic Transport Network, and local distribution networks for electricity, would be considered to be 'other infrastructure' and therefore INF-P2 would be applicable. Given the importance of this infrastructure to the wellbeing of people and communities, I consider that it is appropriate to retain the policy as drafted. Additionally, I consider that it would not be advantageous to be definitive as to what is covered by 'other infrastructure', as the current drafting provides flexibility.
71. Additionally, in relation to the submission point on INF-P26 [225.126], I do not follow the submitter's reasoning that signage adjacent to an SNA or natural wetland may have adverse environmental effects on those features. I note that any activities within or adjacent to natural wetlands that involve activities that may affect those features are managed by the NES-F.

72. In relation to submission points 225.128, 225.129, 225.130 seeking clarification of the applicability of INF-R3, INF-R4 and INF-R5 to regionally significant infrastructure and/or other infrastructure, as noted by the submitter in [225.127], 'the applicability of rules should be determined on the activity which they provide for and also on the effects which a rule addresses'. As these rules apply to the maintenance, repair and upgrading (excluding certain infrastructure) of existing infrastructure, I do not consider that the rules should differentiate between regionally significant infrastructure and/or other infrastructure due to the fact that, as discussed above, this would result in an artificial separation in relation to some infrastructure. The activities being undertaken will have the same effects whether it is regionally significant infrastructure or other infrastructure. Therefore, I do not consider that any clarification is required.

3.3.3 Summary of recommendations

73. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.31, 225.105, 225.108, 225.122, 225.123, 225.124, 225.125, 225.126, 225.128, 225.129, 225.130 and] be **rejected**;
74. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.104, 225.106, 225.110 and 225.133] be **accepted in part** (see sections 3.15.3, 3.15.4, 3.16.4 and 3.8.5.2 below).
75. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 Relationship with Overlays

3.4.1 Matters raised by submitters

76. Forest and Bird [225.127] seeks that the first note above the rules is amended so that where rules within the chapter do not specifically identify whether they apply within or outside of overlays then the district-wide overlay chapters apply. Forest and Bird also seek deletion of the second note which identifies that the only rules that apply are those within the INF – Infrastructure chapter, and amendment of the last note so that it states that more than one chapter may be relevant. The submitter's reasons are that:
- Uncertain relationship of this chapter to overlays and overlay provisions;
 - The National Planning Standards specify that overlay provisions are to be included in the relevant district wide chapter;
 - Relying on the policies in the INF chapter is inconsistent with the National Planning Standards for overlays and does not achieve integrated management for infrastructure and ECO outcomes set out in the chapter and strategic objectives;
 - Integration with coastal environment provisions is uncertain;
 - The application of rules over all overlays is inconsistent with the National Planning Standards and with good practice, insofar as spatially defined matters are not determined on the basis of activities or underlying zone provisions. The applicability of rules should be

determined based on the activity which they provide for and also on the effects which a rule addresses.

77. I note that Forest and Bird [225.188] also sought that CE-P1 be clarified with respect to whether it is an 'overlay' or not. This matter was generally addressed in the Section 42A Report – Part B Coastal Environment prepared by Mr McDonnell but he noted that it would also be addressed in relation to the INF – Infrastructure chapter.

3.4.2 Assessment

78. I disagree with the submission from Forest and Bird [225.127]. I consider that the chapter introduction and notes contained in the chapter make it quite clear that the INF – Infrastructure chapter provisions are the only provision that apply, unless specifically stated in the provisions.
79. The submitter states that the National Planning Standards require that 'overlay provisions are to be included in the relevant district wide chapter'. While the National Planning Standards do include statements identifying matters that must be located with certain chapters, as noted in section 3.3 above the National Planning Standards also state that provisions relating to infrastructure that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, infrastructure and Transport heading. Therefore, I consider that the intent of the National Planning Standards is not for the INF – Infrastructure chapter to defer to the ECO – Ecosystems and Indigenous Biodiversity chapter provisions as sought by the submitter (see Forest and Bird [225.102] as noted in section 3.2 above).
80. Further to this, I do not agree with the submitter's statement that '[r]elying on the policies in the INF chapter is inconsistent with the National Planning Standards for overlays and does not achieve integrated management for infrastructure and ECO outcomes set out in the chapter and strategic objectives'. I consider that the objectives and policies appropriately address SNAs, and include cross-references to ECO policies where relevant to consider of infrastructure proposals. This is further discussed in section 3.8 below.
81. In relation to integration with coastal environment provisions, I note that the CE – Coastal Environment chapter includes provisions relating to Coastal High Natural Character Areas, Coastal Hazard Overlays, and specific activities being quarrying and mining and new plantation forestry. The INF – Infrastructure chapter includes provisions for infrastructure within Coastal High Natural Character Areas and Coastal Hazard Overlays. In addition to this, it includes reference to the Coastal Environment where relevant with respect to consideration of adverse effects, for example in relation to policy relevant to the development of the National Grid (INF-P7). Additionally, INF-S11, when referenced in relevant rules, restricts infrastructure from being located within a coastal margin. Therefore, I consider that the INF- Infrastructure chapter appropriately incorporates provisions managing activities within the Coastal Environment.
82. In relation to the applicability of some rules across all overlays, such rules are used only in certain situations:
- Where the rule means that the activity is to be considered as a discretionary activity and therefore any effects on overlays can be appropriately considered through the resource consent process, for example INF-R42;
 - Where the rule addresses all the relevant overlays within the structure of the rule itself, for example INF-R9 in relation to walkways, cycleways and shared paths;

- Where the rule sets a restricted discretionary activity status for the activity and the relevant matters of discretion are sufficient to manage the effects on any relevant overlays, for example INF-R34;
- Where the rule applies only in certain areas and in addition to all the other rules, such as INF-R25 in relation to infrastructure and earthworks within the National Grid Yard and Gas Transmission Pipeline Corridor;
- Where the effects of the activity are not relevant to overlays or will have negligible effects on overlays, or are managed through other rules, such as INF-R24 for signs.

83. I therefore consider that the applicability of the rules within the INF – Infrastructure chapter has been carefully considered, including consideration of the activity which they provide for and on the effects which a rule addresses, as sought by the submitter.
84. In relation to the submission from Forest and Bird [225.188], Mr McDonnell concluded in the Section 42A Report – Part B Coastal Environment that as notified the Coastal Environment was not defined as an overlay and considered that this was inconsistent with the National Planning Standards and should be corrected. Mr McDonnell recommended amending the definition of 'Overlay' and adding a new definition for 'specified overlay'. The consequence of this recommendation is that the definition of 'Overlay' would be more generic, and cover all spatially defined areas where the Plan includes provisions to control activities different from the underlying zone (e.g. the National Grid Corridor), while 'specified overlay' would be specific to the overlays set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay set out in Appendix 10.
85. I agree with Mr McDonnell's conclusions and recommended amendments. This has consequential implications for the INF – Infrastructure chapter, as the references to 'Overlays' need to be amended to 'specified overlays'. This would not affect the intended structure or implementation of the chapter, but would help to clarify provisions relative to their relationship with the overlays included in the Plan.

3.4.3 Summary of recommendations

86. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the INF-infrastructure chapter as set out in section Appendix A to replace 'overlay' with 'specified overlays' as consequential amendments as a result of the acceptance of the submission from Forest and Bird [225.188].
- Note: The recommended amendments are not included here due to length.
87. I recommend that the submission from Forest and Bird [225.188] be **accepted in part**.
88. I recommend that the submission from Forest and Bird [225.127] be **rejected**.
89. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5 Transport Infrastructure

3.5.1 General submissions

3.5.1.1 Matters raised by submitters

90. As identified in section 3.2 above, the submission from Kāinga Ora [81.240] includes seeking '[a]ll rules relating to Transport (street, intersection, accessway, parking design etc), should be within the TR chapter, not within the INF chapter of the PDP', for the reason that this will assist with the usability of a complex plan. Similarly, submission [81.930] from the same submitter opposes the transport provisions in their current proposed state and seeks the full package of provisions be reviewed and amended so that they appropriately manage the safety and efficiency of the transport network, while recognising and providing for residential intensification. The reasons given are that the provisions will constrain residential development and will require substantial increase in landform modification and associated hard surfacing.
91. Regional Public Health [263.6 and 263.10] seeks that the Healthy Streets Design Indicators are considered and incorporated into the design of road types, where the higher density housing will be located, and that that Council prioritise safe, efficient, resilient and well-connected transport that is integrated with land use; meets local, regional and national transport needs; enables urban growth and economic development; and provides for all modes of transport. The reasons given address the health benefits of improving public transport, increasing walkability and bike use, developing a greener and carbon neutral Porirua, and addressing inequity.
92. Pikarere Farm Limited [183.10] seeks that, in relation to Pikarere Farm and access to it, the 'paper road' should be preserved, relocated, and extended to link with Pikarere Street.

3.5.1.2 Assessment

93. In relation to the submission from Kāinga Ora [81.930] relating to the location of the transport provisions with the Plan, as identified above the National Planning Standards state that provisions relating to energy, infrastructure and transport must be located in one or more chapters under the Energy, Infrastructure and Transport heading.
94. The document 'Guidance for District Plans Structure and Chapter Standard'¹ states in relation to the Energy, Infrastructure and Transport heading:

You can decide what the relevant chapters should be under this heading. One example would be having one chapter for each topic, that is, an energy chapter, an infrastructure chapter and a transport chapter. Alternatively, you could combine these issues in one chapter, with several sections.

[...]

You should locate most provisions related to energy, infrastructure and transport under this heading unless they are addressed in a specific, special purpose zone (such as a port or mining zone). This means these chapters may include provisions to do with issues such as earthworks when they are related to infrastructure. This is your choice. Any provisions that relate to

¹ Ministry for the Environment, 2019 (updated 2020), Guidance for District Plans Structure and Chapter Standards. Available from: <https://environment.govt.nz/assets/Publications/Files/guidance-district-plan-structure-and-chapter-standards.pdf> Accessed on: 4 October 2021

another topic within these chapters must be cross-referenced to the relevant other chapter (earthworks in this example) for ease of use and navigation.

95. Under the National Planning Standards, the transport provisions should therefore be located under the Energy, Infrastructure and Transport heading; however, there is significant scope provided in the National Planning Standards for how the chapters under this heading (if any) are to be structured.
96. In implementing the National Planning Standards through the Plan, the chapters under the Energy, Infrastructure and Transport heading were decided to be INF-Infrastructure, REG-Renewable Electricity Generation, THWT-Three Waters, and TR-Transport.
97. The separation of the INF-Infrastructure and TR-Transport chapters and the matters to be addressed by the provisions contained in each were considered in the Section 32 Evaluation Report Part 2: Infrastructure at section 8 (page 52), and Section 32 Evaluation Report Part 2: Transport at section 4.6 (page 6). In relation to this I note that the definition of 'infrastructure' under the RMA was a determining factor, which includes, at clause (g):

structures for transport on land by cycleways, rail, roads, walkways, or any other means;

98. In relation to this the Section 32 Evaluation Report Part 2: Infrastructure states that:

Objectives, policies, rules and standards relating to the maintenance and repair, upgrade and development of the transport network are also contained in the Infrastructure chapter. While it is common within other plans for these to be contained in the Transport chapter, the transport network forms part of the definition of infrastructure and the strategic transport network includes, along with state highways and strategic roads, the strategic railway and public transport network, and key terminals providing links to other transport networks. As such, there are a range of transport activities that are best managed as part of the infrastructure framework, and not including the transport network within the infrastructure chapter would mean either duplication of objectives and policies relating to its management or the need for cross-referencing of many provisions.

99. I also note that, in addition to this, the ODP contains the existing rules relating to roading and traffic and transport structures (see rules 6.1.34 to 6.1.38). Within the ODP, the transport standards are contained within Part H Car Parking, Vehicle Movement and Roads. Therefore, other than the road design standards being contained within the INF-Infrastructure chapter itself, the allocation of the transport and infrastructure provisions generally continues the split as contained in the ODP.
100. I generally agree with the analysis in the Section 32 Evaluation Reports for the Plan, in that as the 'structures for transport on land by cycleways, rail, roads, walkways, or any other means' are defined as 'infrastructure', the appropriate place for the provisions managing these structures is the INF-Infrastructure chapter.
101. Locating the transport network provisions within the INF-Infrastructure chapter provides benefits through providing a direct line of sight for relevant objectives and policies, particularly those relating to regionally significant infrastructure, which includes the Strategic Transport Network as identified in the operative Wellington Regional Land Transport Plan.
102. Locating the transport network provisions within the INF-Infrastructure chapter provides benefits due to the standalone nature of the chapter. While I acknowledge that the proposed district plans for both the New Plymouth and Selwyn Districts, which were developed under the

National Planning Standards, contain the transport network provisions within the respective TRAN-Transport chapters, I consider that this has issues due to the requirement for those chapters to refer to their plan's respective overlay chapters. For example, in both cases, this results in provisions located within the ecology and indigenous biodiversity chapters referring to indigenous vegetation disturbance (New Plymouth) or clearance and earthworks (Selwyn) for the maintenance and repair (and replacement for Selwyn) of infrastructure. These provisions would relate to roads. This approach results in a significant number of additional provisions throughout those plans' overlay chapters. This may be considered to be contrary to the direction in the National Planning Standards that the provisions relating to energy, infrastructure and transport must be located in one or more chapters under the Energy, infrastructure and transport heading.

103. In addition, that approach creates situations where the provision of infrastructure, including roads, may be significantly constrained by the requirement to comply with the overlay chapter provisions. For example, outside of rural zones, upgrading of a road which requires clearance of any indigenous vegetation within an SNA would likely be considered a non-complying activity under the proposed district plan for New Plymouth. Similarly, the Ecosystems and Indigenous Biodiversity chapter in the New Plymouth PDP contains a non-complying rule for 'Any activity within a Significant Natural Area not otherwise listed as permitted, controlled, restricted discretionary, or discretionary'. In the Wellington context, I do not consider that this approach would give effect to Policy 7 of the RPS to recognise the benefits of regionally significant infrastructure.
104. The exceptions to this are the provisions relating to connections to roads contained in the INF-Infrastructure chapter (policy INF-P14, rule INF-R23 and standard INF-S26 including INF-Figure 5 and INF-Table 6). I consider that these provisions should be relocated to the TR-Transport chapter, as sought by Kāinga Ora. This is also supported by Ms Fraser in her evidence. These provisions relate specifically to vehicle crossings which provide connection of vehicle accesses to roads. While works to provide a vehicle crossing would occur within the road corridor and therefore could be considered as infrastructure, I consider that as the works themselves will be related more to the development of private sites these provisions are better located in the TR-Transport chapter. This will assist plan users, as all of the relevant provisions related to vehicle access to sites will be contained within the one chapter. This would also provide better integration of the vehicle access standards with those for vehicle crossings. The amendments to achieve this relocation will therefore be more efficient and effective than the notified Plan.
105. The submission from Kāinga Ora [81.930] also opposes the transport provisions generally and seeks the full package be reviewed and amended so that they appropriately manage the safety and efficiency of the transport network. I generally agree that the transport standards in the INF-Infrastructure chapter should appropriately manage the safety and efficiency of the transport network. Consequently, external transport engineering advice has been sought from Harriet Fraser Traffic Engineering & Transportation Planning, to review the transport provisions in the Plan in their entirety. The amendments recommended from this review are addressed in relation to the specific provisions addressed in the sections below.
106. In relation to the submissions from Regional Public Health [263.6 and 263.10], I consider that recommendations from the submitter are already incorporated into the Plan, to the extent that it is appropriate to do so. Specifically in relation to the point under submission [263.10], these matters are addressed in policies INF-P12 and INF-P13.

107. The Healthy Streets Design Indicators, sought by Regional Public Health [263.6] to be incorporated into the design of road types where higher density housing will be located, while admirable, are broader than the scope of the functions of the Council under section 31 of the RMA. For example, these indicators include 'things to see and do' and 'clean air', and particularly subjective indicators such as 'people feel relaxed' and 'everyone feels welcome'. As such, I do not consider that it would be appropriate to include these indicators directly within the provisions of the Plan. Additionally, I consider that the relevant indicators that are able to be addressed through a resource management plan, such as 'people choose to walk and cycle', are appropriately articulated through the relevant transport infrastructure objectives and policies.
108. In relation to the submission from Pikarere Farm Limited [183.10], the requested actions relate to subdivision processes rather than district plan provisions and are not able to be undertaken within the RMA Schedule 1 process.

3.5.1.3 *Summary of recommendations*

109. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.930] be **accepted in part**.
110. I recommend for the reasons given in the assessment, that the submissions from Pikarere Farm Limited [183.10] and Regional Public Health [263.6 and 263.10] be **rejected**.
111. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.2 *Zoning of roads*

3.5.2.1 *Matters raised by submitters*

112. Two submissions raised zoning-related matters in relation to road corridors, including the following:
- Porirua City Council [11.4] seeks to include a paragraph explaining how road corridors have been zoned, stating that this is to provide more clarity to plan users; and
 - Robyn Smith [168.105] states that the planning maps suggest the eastern half of State Highway 1 north of Plimmerton is zoned FUZ while the western half is zoned Open Space, which seems to be incongruous. The submitter has not found any explanation for this split zoning in the Plan, and seeks that the zoning for the State Highway 1 corridor north of Plimmerton is clarified.

3.5.2.2 *Assessment*

113. I agree with the point raised by Porirua City Council [11.4] in that the proposed wording provides greater clarity to plan users as to how road corridors have been zoned within the Plan. This is also consistent with section 7 of the National Planning Standards, which in relation to provisions located in the *Energy, infrastructure and transport* chapters, state that:

These provisions may include:

a. statement about the status of transport corridors eg, the adjoining zoning applies to the centre line of mapped roads

114. In relation to the matter raised by Robyn Smith [168.105], the additional wording sought by Porirua City Council [11.4] would provide some clarification in that it explains that all roads are zoned with the same zoning as the adjacent site generally applying up to the centreline of the road, unless there are contextual reasons for a different approach.
115. However, I agree with the matter raised by Robyn Smith [168.105], that the zoning of the eastern side of State Highway 1 north of Plimmerton as Future Urban Zone is incongruous with the context of the surrounding area. This is because the land to the east of State Highway 1 in this location is primarily the allotment legally identified as Lot 2 DP 489799, known as Plimmerton Farm, as shown in Figure 1 below.

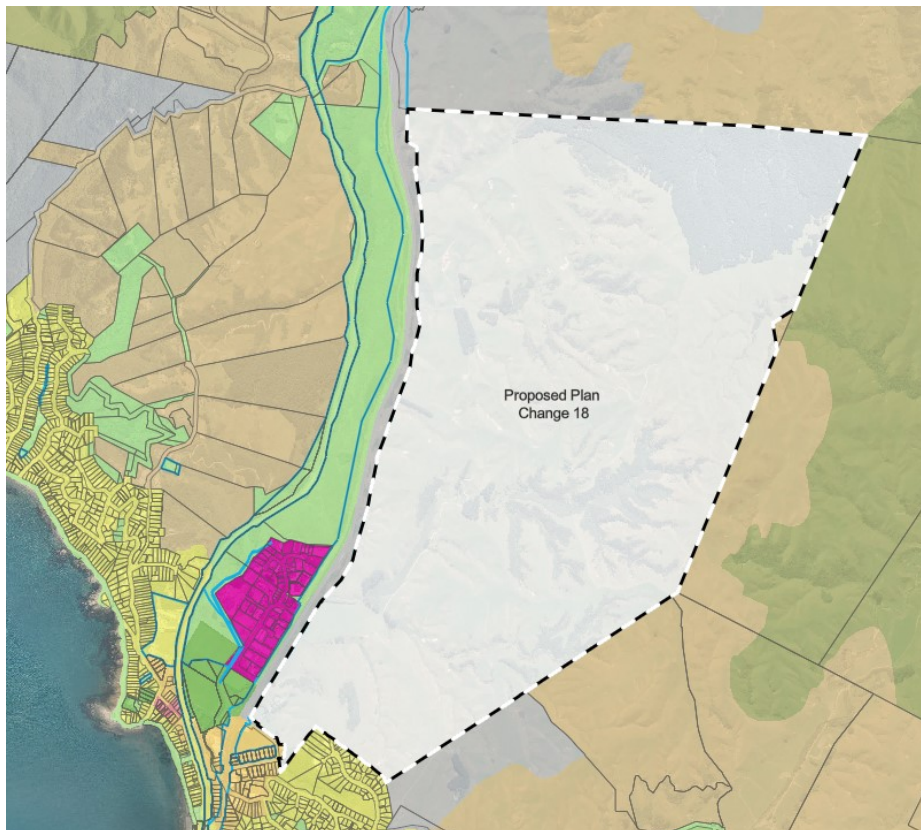


Figure 1: Proposed zoning north of Plimmerton

116. The 'General Approach' section of the Plan states that:

The Proposed Porirua District Plan does not apply to the land known as Plimmerton Farm, being Lot 2 DP 489799, 18 State Highway 1, Plimmerton, which is identified on the planning maps. Lot 2 DP 489799 is subject to Proposed Plan Change 18 to the Operative Porirua District Plan.

117. As such there is no proposed zone for Lot 2 DP 489799 under the Plan. Therefore, I consider that in this location, from the point north of the Plimmerton roundabout to the point at the northern end of the section of road adjacent to Lot 2 DP 489799, the zoning of State Highway 1 should reflect the zoning on the eastern side of the road for the entire width of the road corridor.

3.5.2.3 Summary of recommendations

118. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the INF-infrastructure chapter introduction as set out below and in Appendix A; and

Meteorological devices are similar to infrastructure and are also managed in this chapter. This chapter also contains provisions relating to roads. All roads are zoned with the same zoning as the adjacent site generally applying up to the centreline of the road. In some cases, there are contextual reasons for a different approach. Refer to the Plan maps to determine the correct zone applying to a road.

- b. **Amend** the planning maps as set out in the assessment above;

119. I recommend that the submissions from Porirua City Council [11.4] be **accepted**;
120. I recommend that the submissions from Robyn Smith [168.105] be **accepted in part**.

3.5.3 Ancillary Transport Network Infrastructure

3.5.3.1 Matters raised by submitters

121. KiwiRail [86.42] seeks that the phrase 'and any other infrastructure structure or building not otherwise listed' is deleted from the heading for INF-S8, for the reason that this would include ancillary structures, which would include station buildings and associated public facilities as well as rail safety and operational structures.
122. Kāinga Ora [81.325 and 81.326] opposes and seeks deletion of INF-S8 and INF-S9 for the reason that they will capture 'ancillary transport network' structures which will typically be larger than the maximums set in the standards. The submitter suggests that this could be resolved through provision of a specific standard and rule framework that recognises Ancillary Transport Network structures and provides higher thresholds, and states that a new rule and standard recognising 'ancillary transport network' structures is sought, with all necessary consequential changes.
123. I note that the submissions on the definition of 'ancillary transport network infrastructure' are addressed in section 3.5.13.2 below.

3.5.3.2 Assessment

124. I generally agree with the submitters that the provisions as included in the Plan for ancillary transport network infrastructure are overly restrictive, particularly in relation to the requirement to comply with INF-S8.
125. The height and area limits included in INF-S8 would likely capture bus stops and shelters, train stations, telecommunication kiosks, and public toilets, all of which are included within the definition of ancillary transport network infrastructure. These structures would therefore require resource consent to be established. I note that the majority of those structures defined as ancillary transport network infrastructure would be permitted within the road reserve under rule 6.1.34 of the ODP, with the only relevant standards being those related to earthworks.
126. I therefore agree with intent of KiwiRail's submission [86.42] that ancillary transport network infrastructure should not be subject to INF-S8; however, deletion of the phrase 'and any other

- infrastructure structure or building not otherwise listed' is not appropriate as this is important for the implementation of other rules in the chapter. I therefore consider that inclusion of wording to exclude ancillary transport network infrastructure is more appropriate.
127. Following on from that conclusion, I also agree with the submission from Kāinga Ora [81.325] that a new standard for ancillary transport network infrastructure is appropriate. However, I note that there is already a specific rule for ancillary transport network infrastructure (INF-R22), and therefore a new rule is not required, as also sought by the submitter.
 128. I consider that a new standard for ancillary transport network infrastructure should address the effects of the bulk and location of buildings defined as such. I note that Ms Fraser's evidence includes that the key transportation matter is that infrastructure within the road reserve should not obstruct sight lines and does not become a collision hazard.
 129. I consider that the standards should allow for buildings of five metres in height and five square metres in area in zones with higher residential character and amenity values, and ten metres in height with no area limit within other zones. I consider that this sufficiently provides for such buildings without compromising the character and amenity of the surrounding zone. I consider that an additional standard requiring buildings to comply with the underlying zone standards for height in relation to boundary would also be appropriate, to ensure the amenity of adjacent properties is protected.
 130. I also consider that a standard requiring buildings to not be located within intersection or vehicle crossing sightline areas is also appropriate, to protect the safety of the road network. Additionally, I agree with Ms Fraser's recommendations in relation to the matters of discretion relating to the safety of road users.
 131. Structures more generally should not be required to comply with these standards, due to their inherently smaller bulk, and therefore low likelihood of any adverse effects. This would be consistent with the general permissive nature of the existing ODP network utilities chapter for these activities.
 132. I also note that the term 'phone box' used in the ODP has been changed to 'telecommunication kiosk' under the PDP. This was in response to feedback on the Draft District Plan from the Telcos and is consistent with the terminology used in other recent district plans. In relation to these buildings, I consider that a maximum height of 2.5 metres and volume of 2.4 cubic metres would be appropriate, along with limitations on any attached small cell or antenna structure. These specific standards for telecommunication kiosks would provide certainty for telecommunication providers and therefore efficiency for the implementation of the Plan.
 133. However, I disagree with the submission from Kāinga Ora [81.326] relating to INF-S9. This standard relates to buildings and structures located outside of the road reserve or railway corridor. The definition of ancillary transport network infrastructure specifically states that it is 'infrastructure located within the road reserve or railway corridor', and INF-R22 does not refer to compliance with INF-S9. Therefore, that standard is not relevant. Ancillary transport network infrastructure located outside of the road reserve or railway corridor would therefore be considered under INF-R26.
 134. I note that the addition of a requirement to comply with INF-S14 relating to earthworks is also appropriate, noting the existing requirements under the ODP as discussed above. If there is any doubt as to the ability to include the requirement to comply with INF-S14 in INF-S22 under the

scope provided by submission [81.325], I note that scope is also provided by Kāinga Ora [81.930] relating to the full review and amendment of transport provisions.

3.5.3.3 Summary of recommendations

135. I recommend for the reasons given in the assessment, that the Hearings Panel:

a. **Amend** INF-R22 as set out in Appendix A;

| INF-R22 | Ancillary transport network infrastructure |
|-----------|--|
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> i. INF-S3; ii. INF-S4; iii. INF-S6; iv. INF-S814; and v. INF-S23; and vi. INF-S26. |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S3, INF-S4, INF-S6, INF-S814, or INF-S23 or INF-S26.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard; and 2. The matters in INF-P153. |

b. **Amend** INF-S8 as below and in Appendix A; and

| | |
|--------|---|
| INF-S8 | <p>Cabinets, electric vehicle charging stations, temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed (<u>excluding ancillary transport network infrastructure</u>), which are located within the road reserve or rail corridor</p> |
|--------|---|

c. **Add** a new standard (INF-S26) for 'Ancillary transport network infrastructure' as set out in Appendix A;

Note: The recommended new standard is not included here due to length.

136. I recommend that the submissions from KiwiRail [86.42] and Kāinga Ora [81.326] be **accepted in part**.

137. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.4 Objective INF-O4

3.5.4.1 Matters raised by submitters

138. Kāinga Ora [81.245] seeks deletion of the objective and relocation to the TR-Transport Chapter, for the reason that it opposes this objective being located in the INF - Infrastructure Chapter.
139. Housing Action Porirua [67.3] seeks amendment to the objective to replace providing for 'all transport modes' with 'active transport modes (walking, cycling and scootering) as a priority over motor transport', for the reasons that a more radical objective is required to make a modal shift from car trips to walking and cycling.
140. I note that the submission from Forest and Bird [225.105] is addressed in section 3.3 above.

3.5.4.2 Assessment

141. The submissions from Kāinga Ora relating to the relocation of transport infrastructure provisions is addressed in section 3.5.1 above. For the reasons stated in that section, I consider the deletion of INF-O4 is not appropriate.
142. In relation to the submission from Housing Action Porirua [67.3], while I understand the benefits of a transition to a greater proportion of trips by active transport modes, the priority of transport modes within a particular transport corridor depends on the intended function of the transport infrastructure. It is not always appropriate to prioritise active modes within all transport corridors, such as on State Highways. I therefore consider the amendments sought are not appropriate and the wording of the objective as notified, which refers to all transport modes moving efficiently within and beyond the City, better reflects the actual outcome sought.
143. I also note that Ms Fraser in her evidence recommends that the objective be amended to include that the network is safe. I agree that the objective should refer to the transport network being safe, as this is a critical aspect of the transport network. I note that I am relying on the submission from Kāinga Ora [81.930] in making the recommendation to amend the objective.

3.5.4.3 Summary of recommendations

144. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-O4 as set out below and in Appendix A;

| INF-O4 | Transport network |
|--|--------------------------|
| The transport network is <u>safe</u> , effective, accessible, <u>connected</u> and integrated with other land uses, including contributing to the amenity of public spaces, and provides for all transport modes and users to move efficiently <u>and safely</u> within and beyond the City. | |

145. I recommend that the submissions from Kāinga Ora [81.245] and Housing Action Porirua [67.3] be **rejected**.
146. I recommend that the submissions from Kāinga Ora [81.930] be **accepted in part**.

3.5.5 Policies

3.5.5.1 Policy INF-P12

3.5.5.1.1 Matters raised by submitters

147. Forest and Bird [225.116] seeks deletion of the policy and its relocation to the TR-Transport chapter, or alternatively the policy be amended to refer to the 'established' transport network, and include 'while avoiding, remediating and mitigating adverse effects'. The reasons given are that maintenance of the existing transport network is appropriate in relation to adverse effects on the environment so long as this is managed within limits and where necessary with appropriate consent conditions to avoid, remedy and mitigated adverse effects.

148. Kāinga Ora [81.258] seeks deletion of the policy and its relocation to the TR-Transport Chapter, as it opposes the inclusion of this as a policy in the INF-Infrastructure Chapter.

3.5.5.1.2 Assessment

149. The policy provides support for the permitted activity rules in relation to the maintenance and repair of transport network infrastructure. I do not consider that the reference to 'established' as sought by Forest and Bird [225.116] is necessary as this is implied and its inclusion may be misinterpreted as to only refer to the network as established at the time the Plan is made operative. Similarly, I do not consider that the reference to the avoidance, remediation or mitigation of adverse effects is necessary, as other relevant policies address the management of adverse effects.

150. The more general submission points from Kāinga Ora [81.258] in relation to the transport provisions location within the INF-Infrastructure chapter are assessed in section 3.5.1 above. Consistent with the recommendations in that section, I consider that the policy should remain in the INF-Infrastructure chapter.

3.5.5.1.3 Summary of recommendations

151. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.116] and Kāinga Ora [81.258] be **rejected**.

152. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.5.2 Policy INF-P13

3.5.5.2.1 Matters raised by submitters

153. Forest and Bird [225.117] seeks that the policy is deleted and the considerations added as standards, or that the phrase 'as far as practicable' is deleted and a requirement that the upgrade or development is outside of an overlay and for adverse effects to be avoided, remedied and mitigated. The reasons given are that it is not clear why transport has provisions additional to regionally significant infrastructure. In their view, if the chapter relates to only regionally significant infrastructure then the transport network which is captured by regionally significant infrastructure is already provided for in other policies and this policy is not needed. The phrase 'as far as is practicable' is uncertain and should be deleted. The matters set out appear more suited to be set out in standards for restricted discretionary activities.

154. GWRC [137.25] seeks that the policy is amended so that clause INF-P13-6.a also refers to public transport and includes '...and stormwater treatment devices [or] green infrastructure' to

provide for the space needed in roads and road reserve for stormwater treatment devices and green infrastructure.

155. Kāinga Ora [81.259] seeks that the policy is combined with INF-P12 and relocation to the Transport Chapter.
156. Carrus Corporation Ltd [68.12] seeks that no-exit streets are 'minimised' rather than 'avoided', and a new clause added addressing the provision of connections and permeability for pedestrian and cyclists if no-exit streets are proposed. The reasons stated are that no-exit streets have a place and function in neighbourhoods; the term 'avoid' is too strong and 'minimise' is more appropriate; and there should be a recognition that no-exit streets should allow for pedestrian and cycle thoroughfare.
157. KLP [59.11] seeks that; the word 'unreasonably' is inserted into clause two; the phrase 'allocate adequate space' in clause INF-P13-6.a with 'allow', and 'avoid' with 'minimise' in INF-P13-6.b; and inclusion of a new clause stating that '[w]here no exit streets are proposed ensure connectivity and permeability in design for pedestrians and cyclists'. The reasons given are that clause two is written as an absolute and this will make development difficult where the transport network is under pressure. The reasons for changes to clause INF-P13-6.b are the same as Carrus Corporation Ltd [68.12]. The reasons in relation to clause INF-P13-6.a are that the provisions imply that all the functions within the road corridor must strictly have their own corridor within the overall corridor, with no mention of the concept of 'shared space', leading to unreasonably wide legal road standards and an impediment to alternative designs. The submitter states that the policy only needs to require that the various functions required for the particular land use that the road supports are designed for.
158. Porirua City Council [11.5] seeks that 'refuse and recycling collection' be added to clause INF-P13-6.a, as the policy does not currently specifically address rubbish collection space within the road reserve. GWRC [FS40.2] supports this submission, while Kāinga Ora [FS65.126] opposes the submission to the extent that it is inconsistent with their primary submission seeking transport provisions being located in the transport chapter.

3.5.5.2.2 Assessment

159. I agree with the submission from Forest and Bird [225.117] in as far as it relates to the deletion of the phrase 'as far as is practicable' as this introduces uncertainty as to what is being sought. However, as discussed in section 3.3 above, the chapter, and the policy, applies to all infrastructure, not just regionally significant infrastructure. In relation to overlays, the specific policies for overlays apply where the development of the transport network occurs within those areas. Additionally, the submitter is somewhat correct that the matters as set out appear suited to be set out in standards for restricted discretionary activities; this is because the policy is used as matters of discretion for restricted discretionary rules.
160. I agree with the submission from GWRC [137.25] that public transport should be a consideration for space allocation with road corridors. However, I disagree that specific reference needs to be included for stormwater treatment devices or green infrastructure as this is addressed by the 'infrastructure' reference, and the amount of space required for these types of infrastructure varies widely depending on the specific type and the area it is serving. However, this could be clarified by referring to 'other network utility infrastructure' within clause INF-P13-6.a. I consider that this also adequately addresses Ms Fraser's recommendation in her evidence regarding allocating space for the bus network in roads.

161. In relation to the submission from KLP [59.11] on the insertion of the word 'unreasonably', I disagree as this would introduce uncertainty as to what is 'reasonable'. The safe, efficient and effective functioning of the transport network should not be compromised. I consider that the 'absolute' nature of this policy clause (as described by the submitter) is entirely appropriate. This is consistent with the policies contained in the TR-Transport chapter.
162. However, I agree with the submitter [59.11] that the space allocation with the road corridor for the various uses should be dependent on the intended use and classification of the road, with shared space being acceptable in some circumstances. This is particularly relevant in relation to space for public transport and on-street parking, as these require significant road space which may not be necessary in some circumstances. I consider that this can be addressed by amending clause INF-P13-6.a to include the phrase, 'taking into account the classification of the road and the communities and land uses it will serve'. This will integrate with the amendments recommended to the design standards for roads set out in section 3.5.8 below.
163. In relation to clause INF-S13-6.b, both KLP [59.11] and Carrus Corporation Ltd [68.12] seek similar amendments relating to no-exit streets. I agree to a certain extent, based on Ms Fraser's advice, that no-exit streets may be appropriate in some situations. I therefore consider that the clause should be amended so that no-exit roads are 'only included' (as opposed to 'avoided') where certain criteria are met. This would provide clear guidance for Plan users on where no-exit roads will be considered to be appropriate. Consistent with the decision sought by the submitters, the recommended criteria includes a criterion for maintenance of connectivity for pedestrians and cyclists. The recommended criterion relating to a low volume of traffic and a length that minimises the adverse effects on the connectivity of the transport network would integrate with the amendments recommended to the design standards for roads set out in section 3.5.8 below, for the inclusion of a road design of limited length. Additionally, the criteria also includes a criterion addressing situations where the road is not a 'permanent' no-exit road, as the subdivision design allows the road to be connected in the future, providing for the staged development of land.
164. The discussion on the submissions from Kāinga Ora on the relocation of the transport provisions are set out in section 3.5.1 above. Consequently, I disagree with the decision sought by the submitter in submission [81.259].
165. In relation to the submission from Porirua City Council [11.5], I agree with the submitter for the reasons stated. Refuse collection is a regular activity that needs to be taken into account for road design. Consequently, I agree with the further submission from GWRC [FS40.2] and disagree with the further submission from Kāinga Ora [FS65.126].

3.5.5.2.3 Summary of recommendations

166. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** policy INF-P13 as set out in Appendix A;

Note: The recommended amendments are not included here due to length.

167. I recommend that the submissions from Porirua City Council [11.5] be **accepted**.
168. I recommend that the submissions from Forest and Bird [225.117], GWRC [137.25], Carrus Corporation Ltd [68.12] and KLP [59.11] be **accepted in part**.
169. I recommend that the submissions from Kāinga Ora [81.259] be **rejected**.

3.5.5.3 Policy INF-P14

3.5.5.3.1 Matters raised by submitters

170. Forest and Bird [225.118] seeks that the policy is deleted and the considerations in the policy added as standards to apply to consenting, or alternatively if retained a requirement added for adverse effects to be avoided, remedied and mitigated. The reasons stated are that it is not clear why transport in this chapter has provisions additional to regionally significant infrastructure. If the chapter relates to only regionally significant infrastructure then the transport network which is captured by regionally significant infrastructure is already provided for in other policies and this policy is not needed. The matters set out appear more suited to be set out in standards for restricted discretionary activities.

3.5.5.3.2 Assessment

171. As discussed in section 3.3 above, the chapter, and the policy, applies to all infrastructure, not just regionally significant infrastructure. Repeating the RMA in that adverse effects need to be avoided, remedied or mitigated does not assist the Plan user, as the management of adverse effects more generally is addressed in separate policies. The submitter is somewhat correct that the matters as set out appear suited to be set out in standards for restricted discretionary activities; this is because the policy is used as matters of discretion for restricted discretionary rules.

172. I note that the policy is recommended to be relocated to the TR-Transport chapter, as sought by Kāinga Ora [81.260] and consistent with the recommendation relating to provisions of connections to roads as discussed in section 3.5.1 above.

3.5.5.3.3 Summary of recommendations

173. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.118] be **rejected**.

3.5.5.4 Policy INF-P15

3.5.5.4.1 Matters raised by submitters

174. Kāinga Ora [81.261] seeks deletion of the policy and relocation to the TR-Transport chapter, as it opposes the inclusion of this as a policy in the INF-Infrastructure chapter.

3.5.5.4.2 Assessment

175. The policy provides support for the classification of roads in schedule SCHED1 - Roads Classified According to One Network Road Classification. The more general submission points from the submitter in relation to the transport provisions location within the INF-Infrastructure chapter are assessed in section 3.5.1 above. Consistent with the recommendations in that section, I consider that the policy should remain in the INF-Infrastructure chapter.

3.5.5.4.3 Summary of recommendations

176. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.261] be **rejected**.

3.5.6 Rules

3.5.6.1 General Transport Rule Submissions

3.5.6.1.1 Matters raised by submitters

177. Carrus Corporation Ltd [68.13, 68.14, 68.15, 68.16, 68.17] and KLP [59.13 and 59.14] seek amendment to INF-Table 1 to incorporate all the road layout and width options as set out in NZS 4404:2010, for the reasons that the standard are overly conservative.
178. Waka Kotahi [82.70, 82.71, 82.72, 82.73, 82.74, 82.75, 82.76, 82.77] seeks that National, Regional, and Arterial roads are given the same activity status as other roads under the relevant rules as opposed to a discretionary activity status, for the reason that it is unclear why a lower status road has a controlled activity status when they are for the same purpose, and a discretionary activity status restricts constructing new roads and undertaking upgrades that are part of the ongoing safety and efficiency of the transport network.
179. Forest and Bird [225.134, 225.135, 225.136] seeks that INF-R27, INF-R28 and INF-R29 are amended to include limits to vegetation removal to no more than a minor adverse effect, for the reason that the rule fails to consider adverse effects on indigenous biodiversity.

3.5.6.1.2 Assessment

180. The submissions from Carrus Corporation Ltd [68.13, 68.14, 68.15, 68.16, 68.17] and KLP [59.13 and 59.14], are addressed in section 3.5.8 below relating to table INF-Table 1.
181. In relation to the submissions from Waka Kotahi [82.70, 82.71, 82.72, 82.73, 82.74, 82.75, 82.76], I disagree that National, Regional, and Arterial roads are given the same activity status as other roads. Design standards for Access and Collector roads have been included in the Plan. No design standards for National, Regional, or Arterial roads have been included, or proposed by the submitter. I do not consider that it would be appropriate to enable these higher order roads without the associated design standards to ensure the safety and efficiency of those roads. Additionally, those higher order roads generally have higher road traffic volumes and operational speeds, and therefore consideration of any new or upgraded road through a discretionary activity resource consent is appropriate to ensure the proposal will not compromise the safety or efficiency of the transport network. I note that Ms Fraser agrees with this assessment. I also note that higher order roads, particularly State Highways, are likely to be subject to notices of requirement for designations to address the requirements of section 9(3) of the RMA.
182. I disagree with the amendment sought by Forest and Bird [225.134, 225.135, 225.136], as INF-R30 manages upgrading of roads within SNAs, and INF-R43 manages new roads within SNAs. These SNAs were identified through a robust process, and the associated objectives, policies and methods protect the indigenous biodiversity values of the areas. Therefore, I consider that there is no need to include additional limitations on the removal of indigenous vegetation outside of these areas. As identified in section 3.8.3, this matter has been addressed in the Officer's Report: Part B – Natural Environment Strategic Objectives, prepared by Ms Gina Sweetman, and is also addressed in the 'Statement of supplementary planning evidence of Gina Sweetman on behalf of Porirua City Council', dated 28 October 2021.²

² Available on the Hearing Portal website

183. I note that the requests for amendments from Forest and Bird [225.134, 225.135, 225.136] relating to effects on indigenous biological diversity as a matter of discretion are addressed in section 3.8.3 below.

3.5.6.1.3 Summary of recommendations

184. I recommend for the reasons given in the assessment, that the submission from Carrus Corporation Ltd [68.13, 68.14, 68.15, 68.16, 3.5.6.1] and KLP [59.13 and 59.14], be **accepted in part**.

185. I recommend for the reasons given in the assessment, that the submission from Waka Kotahi [82.70, 82.71, 82.72, 82.73, 82.74, 82.75, 82.76, 82.77] and Forest and Bird [225.134, 225.135, 225.136] be **rejected**.

3.5.6.2 INF-R23

3.5.6.2.1 Matters raised by submitters

186. Kāinga Ora [81.295] seeks that the rule is relocated to the TR-Transport chapter along with the introduction of a notification preclusion statement for both public and limited notification for the reason that the technical nature of these breaches requires technical or engineering assessments, and public participation by way of limited or public notification will unlikely add anything to the consideration of the effects of these breaches.

187. Porirua City Council [11.6] seeks that the rule is amended to remove the connection of a Vehicle Access Level 4 to an Arterial Road from the permitted activity rule, and make this a restricted discretionary activity, for the reasons that Arterial roads perform a lifeline function and Vehicle Access Level 4 may result in adverse effects on the safe and efficient functioning of an Arterial Road

188. Waka Kotahi [82.66] seeks that a note be included stating that all new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi, for the reason that it is helpful that Plan users are aware of this additional obligation and can address it at the time they are drafting their resource consents.

3.5.6.2.2 Assessment

189. As discussed in section 3.5.1 above, I agree with the submission from Kāinga Ora [81.295] that the provisions relating to connections to roads should be relocated to the TR-Transport chapter. Amendments are required to TR-R2 as a result of the relocation of INF-R23 to the TR-Transport chapter, along with the relocation of associated standards.

190. I disagree with the submission from Kāinga Ora [81.295] that public and limited notification should be precluded in relation to resource consents required as a result of non-compliance with the specified standards. Non-compliance with the relevant standards may have safety implications which could affected adjacent land uses.

191. In relation to the submission from Porirua City Council [11.6], I agree with the decision sought for the reasons stated by the submitter. I note that Ms Fraser also agrees that the busiest access connections to arterial roads should trigger restricted discretionary resource consent processes, due to 'the traffic carrying function of arterial roads and the need to ensure their safe and efficient operation'. These amendments will need to be incorporated into TR-R2, and therefore

the amendments cannot be accepted in their entirety, but the intention transferred into the wording TR-R2.

192. I agree with the submission from Waka Kotahi [82.66], for the reasons stated by the submitter. As I have recommended that INF-R23 is relocated to the TR-Transport chapter, I consequently recommend that the requested note is included in TR-R2-1.
193. In relation to the recommended amendments to TR-R2, I note that I am relying in part on the scope provided by Kāinga Ora [81.930] seeking full review and amendment of the transport provisions in the Plan.

3.5.6.2.3 Summary of recommendations

194. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Delete** INF-R23 as set out in Appendix A; and
 - b. **Relocate** the contents of INF-R23 to be part of TR-R2.
195. I recommend that the submissions from Kāinga Ora [81.295], Waka Kotahi NZ Transport Agency [82.66] and Porirua City Council [11.6] be **accepted in part**.
196. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.6.3 INF-R27

3.5.6.3.1 Matters raised by submitters

197. KLP [59.27] seeks that the section 88 requirement for a road safety audit be amended to reference 'other assessment guidelines suitable for the land use environment that the road is serving', for the reasons that the specified guidelines are not suitable to low speed roads in residential areas as they are designed to be used on highways.
198. Kāinga Ora [81.299] seeks that upgrading of roads within the existing road reserve is provided for as a permitted activity with no associated standards, for the reason that this would be consistent with INF-S14 and INF-S15 relating to earthworks.

3.5.6.3.2 Assessment

199. In relation to the submission from KLP [59.27], I note that the requirements for road safety audits are addressed in section 3.5.5.2 above. Consistent with that discussion, I consider that the requirement for an audit to be provided with a resource consent application should be deleted.
200. In relation to the submission from Kāinga Ora [81.299], the upgrading rule for roads does not only relate to earthworks standards, but also requires the road to meet the road design standards. Additionally, the submitter is incorrect in stating that INF-S14 anticipates works occurring in exceedance of the specified thresholds where located within an existing road; this is not the case.
201. I consider that a controlled activity status is appropriate for the upgrade of roads. I note that under the ODP, any alteration of roads within City Centre, Industrial, Suburban, Recreation or Rural zones is a discretionary activity. This recognises that 'Existing public roads' were designated under the ODP (reference K1054), and therefore that rule applied to a limited

number of roads constructed since the ODP was made operative. However, any changes to existing public roads designated under K1054 would require an outline plan process to be undertaken. I consider that this is somewhat comparable to the controlled activity resource consent process, insofar as a consent cannot be declined. I also note that the designation of roads as per the ODP has not been sought to be rolled over into the Plan, so a similar mechanism is appropriate to be included in the Plan.

3.5.6.3.3 *Summary of recommendations*

202. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R27 as set out below and in Appendix A;

Note: The recommended amendments are not included here due to length.

203. I recommend that the submissions from Kāinga Ora [81.299] be **rejected**.

204. I recommend that the submissions from KLP [59.27] be **accepted in part**.

3.5.6.4 *INF-R30*

3.5.6.4.1 *Matters raised by submitters*

205. Forest and Bird [225.137] seeks that the rule is amended to add a limit to the scale of an upgrade, and a non-complying activity status for INF-R30-2. The reasons given being that upgrading could have significant adverse effects on indigenous biodiversity values, and the scale and extent of potential effects from upgrading is uncertain.

206. I note that the other matter raised by the submitter, being effects on indigenous biological diversity as a matter of discretion and a 15 metre setback from wetlands, are addressed in section 3.8 below. The matter relating to the introduction of the chapter is addressed in section 3.14 below.

3.5.6.4.2 *Assessment*

207. The rule requires compliance with INF-S18 and INF-S20 which sets limits for trimming, pruning or removal of indigenous vegetation and earthworks within an area identified in SCHED7 - Significant Natural Areas. This therefore provides the relevant scale and extent of potential effects from upgrading.

208. I consider that a non-complying activity status is not appropriate for INF-R30-2, which address road upgrading activities which do not meet the relevant standards that are within a wetland, or are Arterial, Regional or National Roads.³ This would place an unnecessary and overly restrictive burden on upgrading activities for existing roading infrastructure. There is a general expectation that existing infrastructure, including roads, may need to be upgraded in the future to meet increases in demand. The location of existing infrastructure limits opportunities to avoid adverse effects through site or route selection. Any potential adverse effects of such upgrades can be appropriately addressed through a discretionary activity consent process.

³ I note that the submissions relating to wetlands are addressed in section 3.8.2.

3.5.6.4.3 *Summary of recommendations*

209. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.137] be **rejected**.
210. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.7 **INF-S22**

3.5.7.1 *Matters raised by submitters*

211. Waka Kotahi [82.80] seeks that the standard is amended so that all roads are classified according to Waka Kotahi's One Network Road Classification (ONRC), for the reason that it is not clear why two approaches are required. The submitter also considers that the standard appears to contradict INF-P15.
212. Kāinga Ora [81.339] seeks that the standard is deleted and relocated to the TR-Transport chapter.
213. The submissions from Carrus Corporation Ltd [68.18] and KLP [59.15], while on INF-S22, relate to INF-S23 and are therefore addressed in section 3.5.8 below.

3.5.7.2 *Assessment*

214. In relation to the submission from Waka Kotahi [82.80], I do not consider that the amendments sought are appropriate. While INF-P15 states that roads are to be classified based on the ONRC, this is given effect in the schedule of existing roads in SCHED1 - Roads Classified According to the One Network Road Classification. The criteria in INF-Table 1, referred to in INF-S22-2, relate to new roads. I consider that this is required in order to include any specific criteria required to differentiate between different road standards as is recommended in section 3.5.8 below.
215. In relation to the submission from Kāinga Ora [81.339], this matter is addressed in section 3.5.1 above.

3.5.7.3 *Summary of recommendations*

216. I recommend for the reasons given in the assessment, that the submissions from Carrus Corporation Ltd [68.18] and KLP [59.15] be **accepted in part**.
217. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.80] and Kāinga Ora [81.339] be **rejected**.
218. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.8 **INF-S23 and Tables INF-Table 1, INF-Table 2 and INF-Table 3**

3.5.8.1 *Matters raised by submitters*

219. KLP [59.16, 59.17 and 58.18] seeks that no-exit roads be allowed for where it is not possible to provide alternatives and alternative mode connectivity is provided unless it is unreasonable to do so, for the reasons that no-exit roads may be the only option due to terrain. Amendment of

tables INF-Table 1, 2 and 3 is also sought to reflect NZS 4404:2010 or similar and inclusion of lanes and private roads that are located in the TR-Transport chapter. In relation to INF-Table 3, the submitter seeks that INF-Table 3 be amended to replace factors and radii in the table with more appropriate values and states that the current table is based on highway standards that are not appropriate for local roads in residential areas. The submitter also seeks that, in relation to clause INF-S23-10.e, road gardens be allowed for in residential areas as these can be an essential aspect of providing good urban amenity. In relation to clause INF-S23-9, the submitter seeks that retaining structures directly related to the construction of the road are allowed, for the reasons that the clause is vague and some retaining structures are directly related to the construction of roads.

220. Carrus Corporation Ltd [68.18 and 68.19] seeks that clause INF-S23-1 is amended to require connectivity and permeability in design for pedestrians and cyclists where no-exit streets are proposed for the reason that no-exit roads have a place and a function. The submitter also seeks standard INF-Table 1 be updated to incorporate all the road layout and width options as set out in NZS 4404:2010. The reasons given are that the standard does not allow for any roads that are less than 21 metres wide, which is overly conservative, does not take New Zealand geography into account which does not align with INF-P13-3, does not allow for consideration of NZS 4404:2010, and does not facilitate good urban design. An amendment to clause INF-S23-9 is also requested so that retaining structures directly related to the construction of the road are allowed, for the reasons that the clause is vague and some retaining structures are directly related to the construction of roads.
221. Kāinga Ora [81.340, 81.341, 81.342 and 81.343] opposes INF-S23 and the associated road design standards in INF-Table 1, 2 and 3, and seeks deletion and full reconsideration of these standards. Specifically, the submitter seeks clause INF-S23-10 be amended to allow planting to occur in residential zones.
222. Waka Kotahi [82.82] seeks amendment to clause INF-S23-5 to replace the reference to Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) with Waka Kotahi Cycling Network Guidance (CNG) and Pedestrian Planning Design Guide, for the reason that the guidance within CNG and the Pedestrian Planning Design Guide is more up to date and therefore more appropriate to use. The submitter also seeks [82.83] that the cycle and footpath widths be increased from 1.5 metres to 1.8 metres for the reason that the increased cycle lane width will reduce the possibility of dooring, and the maximum gradient to be five percent for all roads for the reason that the current maximum gradients are too steep to be considered accessible for pedestrians or people on bikes.
223. Survey + Spatial [72.20] seeks that the road design should be as per NZS 4404:2010, for the reasons that the minimum road widths in the table are huge, and contrary to national and NZTA direction to create narrower roads with lower speed environments using shared spaces.
224. The Telcos [51.63] seeks that INF-Table 2 be amended to include telecommunication lines.
225. Powerco Limited [83.83] seeks that INF-Table 2 be amended to increase the horizontal setbacks from underground gas distribution pipelines to three metres for all trees and that a requirement for all street trees to have root guards or barriers installed be added, for the reason that the setback distances are inadequate to reasonably protect underground services from tree-root damage and will increase costs. This submission point is opposed by Kāinga Ora [FS65.162], with no specific reasons given.

226. Porirua City Council [11.13] seeks that INF-Table 2 be amended to delete the 'height at maturity' row, for the reason that it is not clear how this row would be applied, as well as a range of other amendments to reflect current practice in relation to setback distances. This submission point is opposed by WELL [FS28.9] as it seeks greater protection setbacks, and Kāinga Ora [FS65.163].

3.5.8.2 Assessment

227. I note in relation to the submissions from Kāinga Ora [81.340, 81.341, 81.342 and 81.343], consistent with submission [81.930] addressed in section 3.5.1 above, Ms Fraser has reviewed the transport provisions.
228. In relation to clause INF-S23-1 relating to no-exit roads, I agree with KLP [59.15] and Carrus Corporation Ltd [68.18] that the standard should be amended to allow for no-exit street in some limited situations, consistent with the amendments recommended to INF-P13-6.b in section 3.5.5.2 above. I therefore consider, consistent with the evidence provided by Ms Fraser, that no-exit roads should be enabled where the AADT is less than 200 and the length is less than 100 metres, and the no-exit road does not connect to a road that is itself a no-exit road. This would provide a suitable road typology for no-exit roads, as the adverse effects on connectivity will be limited by the maximum length of the road and the requirement that the connecting road is not a no-exit road. Consistent with this, I recommend the design standards in INF-Table 1 are amended to allow for an additional road typology within residential zones with a 14 metre legal width, where the typical daily traffic is less than 200 AADT, and the length is less than 100 metres.
229. In relation to retaining structures within roads and the submissions from KLP [59.17], Carrus Corporation Ltd [68.19] and Kāinga Ora [81.340], where necessary, a development can be designed so that any required retaining structures are located within the adjoining private properties. The Council should not have to take on responsibility for these assets. Retaining structures located within the road reserve have caused identified resource management issues, with historic retaining structures causing potential safety issues in relation to access to existing properties which are sought to be further developed. Ms Fraser in her evidence notes that the key road safety matter is the potential restriction of sightlines, and recommends that any retaining structure within the road reserve should trigger an assessment of the effects on road safety. Therefore, I consider that an amendment should be made to clause INF-S23-9 to make it clear that the requirement relates to the entirety of the legal road reserve.
230. I agree that allowance for road gardens within residential areas should be provided, as sought by KLP [59.16] and Kāinga Ora [81.340]. I do not consider that clause INF-S23-10.e addresses an effect on the environment or an identified resource management issue, and should therefore be deleted. As noted in her evidence, Ms Fraser states that the key matter for road safety is ensuring that sight lines are not impacted. The location and on-going maintenance of any road gardens included in roads to be vested in Council can be assessed through a controlled activity status resource consent, with appropriate conditions placed on the consent, where relevant.
231. I agree in part with the submission from Waka Kotahi [82.82] in relation to clause INF-S23-5. The Pedestrian Planning Design Guide is an appropriate reference; however, as identified by Ms Fraser in her evidence, the Waka Kotahi Cycling Network Guidance (CNG) is web-based and difficult to reference, particularly in a district plan context. Therefore, I consider that clause INF-S23-5 should retain reference to the Austroads Guide as well as referring to the Waka Kotahi Pedestrian Planning Design Guide.

232. I also consider that some minor editing of clause INF-S23-4 would be beneficial, to separate the legal, carriageway, and berm requirements, for clarity. To support this, I also recommend a definition of 'carriageway' is included in the Plan. I note that I am relying on the scope of the submission from Kāinga Ora [81.930] in recommending this amendment.
233. Additionally, I note that in her evidence Ms Fraser has recommended that where roads have different zoning on each side such as at zone boundaries, that the road design standards be applied based on the classification of the road in the road hierarchy, or alternatively that a discretionary activity status apply. I prefer that a discretionary status apply, as this will enable the complexities of the road environment at a zone boundary to be taken into account during the design and consenting process. Additionally, as the standards in INF-Table 1 are minimums and the zone categories in the table are relatively broad, the risk of this is somewhat lower. For example, GRZ and MDZ zones have the same design standards, and therefore a road zoned to the centreline at a boundary of these zones would not be affected. Similarly, where a commercial and residential zone adjoin the centreline of a road, an applicant could choose to apply the higher standards for commercial zones, and therefore also comply with the residential zone requirements. Consequently, I consider that an additional standard should be included within INF-S23 requiring roads to achieve the design standards within the zones specified in INF-Table 1. Where this is not achieved, the road would trigger a discretionary activity status under the relevant rules. I note that I am relying on the submission point from Kāinga Ora [81.930] in recommending this amendment.
234. In relation to INF-Table 1, Ms Fraser has reviewed these road design standards. Consistent with her evidence, I consider that significant amendments are required to be made to the table. These amendments respond to the submissions from KLP [59.15] and Carrus Corporation Ltd [68.18] to include additional road design standards that respond to different land uses and other considerations, and more broadly to the submission from Kāinga Ora [81.930] for the provisions to manage the safety and efficiency of the transport network, while recognising and providing for residential intensification. The amendments also respond to the amendments sought by Waka Kotahi [82.83] and Survey + Spatial [72.20]. With these recommended amendments, I consider that the road design standards will be appropriate, and provide benefits through better alignment with the strategic objectives, including HO-O2, FC-O1, UFD-O3 and UFD-O5.
235. Specifically in relation to the submission from Waka Kotahi [82.83] for the maximum gradient of roads to be five percent, I note that this is to address the gradient for pedestrians and cyclists. The standards in NZS 4404:2010 generally set a maximum gradient of 10 percent where access is to more than 20 lots. Clause INF-S23-5 requires paths in a road to be designed in accordance with the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017). These guidelines generally state that three percent is the desirable maximum for uphill travel, while gradients steeper than five percent should not be provided unless it is unavoidable for downhill travel. As noted above, I have recommended that the Waka Kotahi Pedestrian Planning and Design Guide (2009) also be included in clause INF-S23-5, which sets a maximum mean gradient of five percent. Ms Fraser in her evidence recommends a maximum gradient of 10 percent for all road types. Therefore, I consider that the maximum gradient should be 10 percent consistent with NZS 4404:2010 and Ms Fraser's evidence, as the gradients for pedestrian walkways, cycleways and shared paths will be appropriately addressed by the requirements of clause INF-S23-5.

236. I also note, in relation to the submissions from KLP [59.15], private roads are managed under the TR-Transport chapter. The section 42A report recommends that any proposals for private vehicle access that does not fall under the four classifications in the relevant table be assessed as restricted discretionary activities.
237. In relation to INF-Table 2, I agree with the submission from Porirua City Council [11.13] for the reasons stated by the submitter. Consequently, I disagree with the further submissions from WELL [FS28.9] and Kāinga Ora [FS65.163]
238. Similarly, I agree with the submission from the Telcos [51.63]; however, the requested wording does not quite work, and I consider it should instead refer to 'telecommunication or electricity distribution or customer connection lines'. I also agree with the submission from Powerco Limited [83.83] in relation to the setbacks from gas distribution lines, given the potential risk to public safety from compromised lines, and consequently disagree with the further submission from Kāinga Ora [FS65.162]. However, I do not agree with the request from Powerco Limited [83.83] in relation to all street trees requiring root guards, as the setbacks are intended to provide protection of infrastructure and this requirement may result in additional costs. The submitter has not provided evidence that these are required, or an assessment of the benefits, costs, efficiency or effectiveness of such a requirement for street trees.
239. In relation to INF-Table 3, KLP [59.18] seeks that the table is amended. However, consistent with Ms Fraser's evidence, I consider that the standards included in this table are better to be located within an engineering code of practice, rather than a district plan, given the level of detail required for a design to be able to show compliance. I therefore consider that the table should be deleted along with the associated clause of INF-S23.

3.5.8.3 Summary of recommendations

240. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** INF-S23 and INF-Table 1 and INF-Table 2 as set out in Appendix A;
 - b. **Delete** INF-Table 3 as set out in Appendix A;

Note: The recommend amendments re not included here due to length.

241. I recommend that the submissions from Porirua City Council [11.13] be **accepted**.
242. I recommend that the submissions from KLP [59.15, 59.17 and 58.18], Carrus Corporation Ltd [68.18 and 68.19] Waka Kotahi [82.82 and 82.83], Survey + Spatial [72.20], the Telcos [51.63], Powerco Limited [83.83] and Kāinga Ora [81.340, 81.341, 81.342 and 81.343] be **accepted in part**.

3.5.9 INF-S24, INF-Table 4 and INF-Figure 1, INF-Figure 2 and INF-Figure 3

3.5.9.1 Matters raised by submitters

243. Kāinga Ora [81.344, 81.345, 81.346, 81.347 and 81.348] seeks that the standard and associated tables and figures be deleted and relocated to the TR-Transport chapter.

3.5.9.2 Assessment

244. The submissions relating to the relocation of the transport provisions to the TR-Transport chapter are discussed in section 3.5.1 above.
245. In her review of the transport provisions, Ms Fraser has recommended that the parking standards be reduced to only relate to parallel parking, for the reason that the minimum road design standards in INF-Table 1 are restricted to this form of parking. Consequently, Ms Fraser recommends that INF-Figure 1, 2 and 3 are deleted and INF-S24 be amended to including wording specific to parallel parking of 2.1m in width and length depending on whether the ends are obstructed. I consider that this recommendation will ensure that the Plan provisions are easily interpreted and therefore will be more efficient and effective, and therefore agree with this recommendation. I have recommended amendments to INF-S24 in Appendix A to give effect to this. I note that I am relying on the scope of the submission from Kāinga Ora [81.930] in making this recommendation.

3.5.9.3 Summary of recommendations

246. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S24 as set out below and in Appendix A;

| INF-S24 | Parking spaces in roads | |
|------------------|--|---|
| All zones | 1. Car parking spaces in roads must <u>be parallel to the traffic lane and meet the following minimum dimensions of INF-Table 4:</u> <u>a. Width of 2.1m; and</u> <u>b. Length of:</u> <u>i. 5m for an unobstructed end space;</u> <u>ii. 6.3m for an intermediate space (between other car spaces); or</u> <u>iii. 6.6m for an end obstructed space.</u> | There are no matters of discretion for this standard. |

- b. **Delete** INF-Figure 1, 2 and 3 as set out in Appendix A;

247. I recommend that the submissions from Kāinga Ora [81.344, 81.345, 81.346, 81.347 and 81.348] be **rejected**.
248. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.10 INF-S25, Figure 4 and INF-Table 5

3.5.10.1 Matters raised by submitters

249. Kāinga Ora [81.349, 81.350 and 81.351] opposes that standard and figures and seeks that they are relocated to the TR-Transport chapter.

250. Waka Kotahi [82.84 and 82.85] seeks that the terms 'Minor Road' and 'Major Road' are defined, for clarity, and that INF-Table 5 is amended, for the reason that minimum sight distances at intersections for National and Regional roads should be included within the table.
251. Porirua City Council [11.14] seeks that INF-Table 5 is amended to include higher order roads, as it does not currently clearly specify the sight distance requirements for intersections formed with higher order roads (Arterial, Regional and National Roads).

3.5.10.2 Assessment

252. In relation to the submissions from Kāinga Ora [81.349, 81.350 and 81.351], the submissions relating to the relocation of the transport provisions to the TR-Transport chapter are discussed in section 3.5.1 above.
253. I do not agree with the submission from Waka Kotahi [82.84] for the terms 'minor road' and major road' to be defined. Ms Fraser states in her evidence that the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections includes the terms major and minor road, and recommends that INF-Figure 4 is amended to a 'tee' intersection layout with the minor road (side road) shown with a dashed line across it as included in the Austroad Guide (Figure 3.2). Ms Fraser does not consider that any other definition is needed. I agree with these recommendations, and have included an amended figure in my recommended amendments to the chapter.
254. In relation to Waka Kotahi [82.85] and Porirua City Council [11.14] submissions, I also agree that Arterial, Regional and National Roads should also be included in this table. Based on Ms Fraser's advice, this table should not differentiate between road types, but have one set of sight distances requirements based on road speed, with these distances raised to reflect the distances in the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections. I note that this would also satisfy the submitters' decisions sought.
255. I note that Kāinga Ora [81.930] also sought a full review of the transport provisions. Consistent with the agreement with this submission addressed in section 3.5.1 above, and based on Ms Fraser's evidence, I also consider that the heading for the standard should be simplified to 'Intersections', and that additional standards be included in INF-S25 requiring a minimum distance of new intersections from other intersections to maintain the safety and efficiency of the road network, and that intersections must not have more than three approaches or include roundabouts or be signalised. Similarly, I also agree with Ms Fraser that INF-Figure 4 should be amended to a 'tee' intersection, to reflect the recommendation that intersections should not involve more than three approaches.

3.5.10.3 Summary of recommendations

256. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** INF-S25 as set out below and in Appendix A;

| INF-S25 | Intersections involving roads or a Vehicle Access Level 4 | |
|-----------|--|---|
| All zones | 1. Intersections must be designed to ensure safe connectivity of roads for all road users and must take into account | There are no matters of discretion for this standard. |

| |
|--|
| <p>the expected traffic flows once development is complete.</p> <p>2. Intersections must be formed at 90°.</p> <p><u>3. Intersections must not be located within the intersection separation distances set out in INF-Table 4.</u></p> <p><u>4.3. Minimum sight distances at intersections must be in accordance with Distance X and Distance Y as shown in INF-Figure 41 and INF-Table 53.</u></p> <p><u>4. Intersections must not have more than three approaches.</u></p> <p><u>5. Intersections must not include roundabouts or be signalised.</u></p> |
|--|

257. I recommend that the submissions from Kāinga Ora [81.299], Waka Kotahi [82.85] and Porirua City Council [11.14] be **accepted in part**.

258. I recommend that the submission from Waka Kotahi [82.84] be **rejected**.

3.5.11 INF-S26, INF-Table-6 and INF-Figure 5

3.5.11.1 Matters raised by submitters

259. Waka Kotahi [82.88] seeks that the note to the standard is amended to refer to state highways, more generally rather than Limited Access Roads, for clarification. They [82.87] also seek that INF-Table 6 be amended to include sight distances and access distances for vehicle crossings on state highways.

260. Kāinga Ora [81.352] seeks that INF-S26-1 is amended to refer to vehicle crossings per site frontage, for the reason that limiting vehicle crossing to one per site is too restrictive, particularly in situations where a site has multiple frontages. The submitter also seeks that the standard is relocated to the TR-Transport chapter. They [81.353 and 81.354] also seek that INF-Figure 5 and INF-Table 6 are relocated to the TR-Transport chapter.

261. Porirua City Council [11.15] seeks that an additional clause is added to the standard requiring the minimum sight distances in INF-Table 6 to be achieved, and the inclusion of an additional figure providing detail on how sight distances are to be measured, for the reason of providing clarity to the Plan user. Waka Kotahi [FS36.2] supports this submission for the reason that it adds clarity, while Kāinga Ora [FS65.165] opposes the submission for the reason that it seeks a complete revision of the transport provisions.

262. KLP [59.26] seeks that INF-Figure 5 is amended so that the measurement is from the footpath and not the boundary, for the reason that its purpose is to protect pedestrians and that relates to the footpath location not the boundary.

3.5.11.2 Assessment

263. I agree with the submission from Waka Kotahi [82.88] for an amendment to the note. As Waka Kotahi is the road controlling authority for state highways, it is appropriate that Plan users be made aware that there may be additional or different requirements from that organisation if approval to connect to these roads is sought.
264. In relation to the submission from Waka Kotahi [82.87], the connection of a vehicle access to a National or Regional road requires consent as a restricted discretionary activity. No submissions have opposed this activity status. I therefore consider that associated standards for sight distance and spacing for accesses connecting to these roads are therefore not required.
265. In relation to the submissions from Kāinga Ora [81.352] on INF-S26-1, I consider that the limitation of one access per site is appropriate, as this works in association with INF-S26-3 to limit the number of potential conflict points along roads, and ensure that new vehicle crossings are located where the potential risk will be lowest. Allowing for a vehicle crossing per frontage would negate INF-S26-3. The submitter has not provided any specific reasons for the amendment sought, other than the stating that it is 'too restrictive'. I acknowledge that there may be activities where more than one vehicle crossing is appropriate, or even necessary; however, I consider that in these cases it would be appropriate for a resource consent process to be undertaken to ensure that any potential safety risks are identified and appropriately avoided, remedied or mitigated.
266. As addressed in Ms Fraser's evidence, the notified standard for vehicle crossing width, INF-S26-2, may not appropriately provide for heavy vehicle crossings in industrial and commercial areas. Therefore, I consider that an amendment is required to allow for vehicle crossings up to nine meters in width where heavy vehicles are to be accommodated on the site.
267. I agree with the submission from Porirua City Council [11.15] for the reasons stated. The lack of a standard relating to sight distances is an obvious oversight as these distances are included in the associated table. Additionally, the figure sought to be included showing how sight distances are to be measured will aid Plan users to implement the standards in the Plan, and is therefore appropriate. Consequently, I agree with the further submission from Waka Kotahi [FS36.2] and disagree with Kāinga Ora [FS65.165].
268. In relation to the submission from KLP [59.26], I note that NZS 2890.1 2004 sets out that the visibility splay should have a length of 2.5 metres from the property boundary, rather than two metres as set out in the Plan. Therefore, consistent with the evidence provided by Ms Fraser, I consider that INF-Figure 5 should be amended to be consistent with NZS 2890.1 2004 Figure 3.3 Minimum sight distances for pedestrian safety.
269. However, I do not consider that measurement from the footpath is acceptable, as the location of the footpath may change overtime, if the road is upgraded or other works undertaken. The measurement from the property boundary is also consistent with NZS 2890.1 2004.⁴ Therefore, I consider that the boundary line is the appropriate line from which to measure the visibility splays.

⁴ See Figure 3.3 Minimum sight distances for pedestrian safety

270. In relation to the submissions from Kāinga Ora [81.352, 81.353 and 81.354] relating to the relocation of the provisions to the TR-Transport chapter, the split between the TR-Transport chapter and the INF-Infrastructure chapter is addressed in section 3.5.1 above. Consistent with that discussion and subsequent recommendations, I consider that INF-S26 and the associated INF-Table-6 and INF-Figure 5 should be relocated to the TR-Transport chapter. Specifically in relation to [81.352], as the relief sought stated in this particular submission point is for the INF-Figure 5 to be deleted, I note that this point cannot be accepted, as I have recommended that the figure be relocated.
271. Additionally, I agree with Ms Fraser's recommendations regarding; vehicle crossing distances from intersections and railway crossings; rural vehicle crossing formation; sight distances; and crossfalls. I have subsequently included amendments to the vehicle crossing standards and new figures within the TR – Transport chapter section 42A report Appendix A.
272. I note that in recommending the amendments to INF-S26 and the associated figures, I am relying on the submission from Kāinga Ora [81.930] for complete reconsideration of the road and access design standards.

3.5.11.3 Summary of recommendations

273. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Transfer** INF-Table 6 to the TR-Transport chapter as set out in Appendix A;
274. I recommend that the submissions from Kāinga Ora [81.352] be **accepted in part**.
275. I recommend that the submissions from Waka Kotahi [82.88] and Kāinga Ora [81.354] be **accepted**.
276. I recommend that the submissions from Kāinga Ora [81.352], KLP [59.26] and Waka Kotahi NZ Transport Agency [82.87] be **rejected**.
277. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.12 INF-S27

3.5.12.1 Matters raised by submitters

278. Waka Kotahi [82.89] seeks that the standard be amended to include the NZ Cycle Trail Design Guide (2019), for the reason that that the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) are not always appropriate for recreation paths.
279. Kāinga Ora [81.355] seeks deletion of the standard as it opposes this provision and seeks full reconsideration of the transport provisions and consequential relocation to the TR chapter, as well as this standard requiring compliance with external technical documents.

3.5.12.2 Assessment

280. I generally agree with the submission from Waka Kotahi [82.89] that the NZ Cycle Trail Design Guide (2019) is an appropriate document to reference in relation to the design of paths associated with Ngā Haerenga New Zealand Cycle Trails as this was its intended use. However, for general shared paths, this document may not be appropriate. Therefore, I consider that an

amendment providing greater specificity as to the use of the NZ Cycle Trail Design Guide (2019) is appropriate.

281. In relation to the submission from Kāinga Ora [81.355], the split between the TR-Transport chapter and the INF-Infrastructure chapter is addressed in section 3.5.1 above. Additionally, the use of references to external documents is addressed in the Planner's Report Part A – Overarching Report. Consistent with those recommendations, I do not consider that any amendments are required to INF-S27 in response to Kāinga Ora [81.355].

3.5.12.3 Summary of recommendations

282. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the standard as set out below and in Appendix A;

| INF-S27 | Cycleways, shared paths and pedestrian walkways on public land other than roads | |
|-----------|--|--|
| All zones | <p>1. Pedestrian walkways on public land other than a road must be designed in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014).</p> <p>2. Cycleways and shared paths on public land other than a road must be designed in accordance with:</p> <p><u>a. The Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017); or</u></p> <p><u>b. For paths associated with Ngā Haerenga New Zealand Cycle Trails, the NZ Cycle Trail Design Guide (2019).</u></p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Walking and cycling connectivity; 2. Access to and usability of public open spaces; 3. The safe, resilient, efficient and effective functioning of the transport network; and 4. Public health and safety. |

283. I recommend that the submission from Waka Kotahi [82.89] be **accepted in part**.

284. I recommend that the submission from Kāinga Ora [81.355] be **rejected**.

3.5.13 Definitions

3.5.13.1 Additional definitions

3.5.13.1.1 Matters raised by submitters

285. Kāinga Ora [81.930] sought a full review of the transport provisions.

3.5.13.1.2 Assessment

286. Having reviewed the transport provisions in the Plan, I recommend the term 'carriageway' is introduced into clause INF-S23-4.b.

287. I consider that a definition of 'carriageway' would assist Plan users in understanding the transport provisions, and therefore have benefits for Plan implementation.

3.5.13.1.3 Summary of recommendations

288. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the Definitions chapter as set out below and in Appendix A;

| | |
|--------------------|--|
| Carriageway | <u>means that part of the road that is formed and able to be used by vehicles (including cyclists). It includes areas shared with pedestrians, on-street parking areas, shoulders and auxiliary lanes, but excludes footpaths. In urban areas the carriageway is generally defined by kerbs.</u> |
|--------------------|--|

289. I recommend that the submission from Kāinga Ora [81.930] be **accepted in part**.

3.5.13.2 Ancillary transport network infrastructure

3.5.13.2.1 Matters raised by submitters

290. Waka Kotahi [82.4] seeks that the phrase 'by a network utility operator' is added to the definition, for the reason that it is important to clarify that ancillary transport network infrastructure is only located in the road reserve by the appropriate network utility operator and the definition as currently worded implies that any person may locate any infrastructure within the road reserve. Kāinga Ora [FS65.166] opposes this in part, for the reason that it seeks a complete revision of the transport standards and the relationship with the TR – Transport Chapter.

291. Kāinga Ora [81.32] seeks that micro-mobility lock-up facilities be added, to reflect the use of electric scooters to access transport network infrastructure.

3.5.13.2.2 Assessment

292. I agree with the submission from Waka Kotahi [82.4] for the reasons stated in the submission. Limiting the definition of 'ancillary transport network infrastructure' to those facilities installed by a network utility operator will ensure that this type of infrastructure is only located in the road reserve by the appropriate network utility operator.

293. Consequently, I disagree with the further submission from Kāinga Ora [FS65.166]. I also note that a review of the transport provisions has been undertaken.

294. I agree with Kāinga Ora [81.32] for the reasons stated by the submitter.

3.5.13.2.3 Summary of recommendations

295. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the definition of 'ancillary transport network infrastructure' as set out below and in section Appendix A;

| | |
|---|--|
| Ancillary transport network infrastructure | means infrastructure located within the road reserve or railway corridor <u>by a network utility operator</u> , that supports the transport network and includes: a. traffic control signals and devices; |
|---|--|

- b. light poles;
- c. post boxes;
- d. landscaped gardens, artwork and sculptures;
- e. bus stops and shelters;
- f. train stations;
- g. telecommunication kiosks;
- h. public toilets; ~~and~~
- i. road or rail furniture; and
- j micro-mobility lock-up facilities.

296. I recommend that the submissions from Waka Kotahi [82.4] and Kāinga Ora [81.32] be **accepted**.
297. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.13.3 Planned network upgrade

3.5.13.3.1 Matters raised by submitters

298. Waka Kotahi [82.20] seeks that reference should be made to the 'Wellington Regional Land Transport Plan' to ensure consistency, and that the Wellington Regional Public Transport Plan should be included in the definition as it sets out planned public transport improvements.
299. In a contrary position, Forest and Bird [225.68] seeks the definition be deleted or amended to apply to transport network development which has been consented but where the consent has not yet been given effect to. The reasons given are that just because a programme of work is planned under other legislation does not mean its effects should be treated differently under the RMA, and the reference to such plans and strategies is uncertain.

3.5.13.3.2 Assessment

300. I agree with the submission from Waka Kotahi [82.20]. The Wellington Regional Public Transport Plan is a relevant document for planned network upgrades.
301. In relation to the submission from Forest and Bird [225.68] the phrase 'planned network upgrade' is only used in policy INF-P13 and relates to the integration of other proposed upgrades to or development of the transport network being integrated with those that are planned. Therefore, the Plan does not treat planned network upgrades any differently to other infrastructure in terms of the effects of such development.

3.5.13.3.3 Summary of recommendations

302. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'planned network upgrade' as set out below and in Appendix A;

| | |
|--------------------------------|--|
| Planned network upgrade | means any upgrade to the transport network set out in the <u>Wellington Regional Land Transport Plan</u> , <u>Wellington Regional Public Transport Plan</u> or Porirua City Council Infrastructure Strategy. |
|--------------------------------|--|

303. I recommend that the submissions from Waka Kotahi [82.20] be **accepted**.

304. I recommend that the submission from Forest and Bird [225.68] be **rejected**.
305. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6 National Grid

3.6.1 General submissions

3.6.1.1 Matters raised by submitters

306. Kāinga Ora [81.812, 81.936] seeks review and redrafting of the full package of provisions (objectives, policies, rules and definitions) in relation to the National Grid, including the spatial extent of the corridor overlay as shown in the PDP. The reasons stated are that the submitter considers that the provisions of the National Grid Corridor are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.
307. Transpower [60.139, 60.131] states that the PDP must:
- Give effect to the NPS-ET;
 - Recognise the need to sustainably manage the National Grid as a physical resource of national significance;
 - Recognise the benefits of the National Grid at local, regional and national levels; and
 - Provide for the effective operation, maintenance, upgrading and development of the National Grid.
308. Transpower [60.83, 60.91, 60.96 and 60.135] also seeks that SUB-R15 and EW-P4, EW-P5, EW-R4 and GRZ-R5 and GRZ-R4 be relocated to the INF – Infrastructure chapter. The reasons stated are that:
- The submitter has a preference for a standalone set of provisions within the INF - Infrastructure Chapter as it avoids duplication and provides a coherent set of rules which applicants can refer to;
 - A standalone set of provisions is consistent with the National Planning Standards; and
 - The disconnection of policies and rules that implement those policies in separate chapters is potentially confusing to plan users.
309. Transpower [60.96] also seeks that, if the National Grid rules be retained within the GRZ chapter, policies to give effect to the rules are added, or cross-referencing to the Infrastructure Chapter be included. The submissions from Transpower [60.100, 60.104, 60.110 and 60.116], relating to the GRZ, RLZ, OSP and FUZ chapters, refer the relief sought in the general submission point on the GRZ chapter.
310. Kāinga Ora and Transpower oppose each other's submissions in relation to the National Grid provisions.

311. Heather Phillips and Donald Love [79.5] seeks amendment of the plan, for the reason that no reference is made to exclusion distances around the National Grid in which fires can be lit and the burning of crop off-cuts or stubble can be undertaken.

3.6.1.2 Assessment

312. I agree with the statements put forward by Transpower [60.139, 60.131] relating to the requirements of the Plan in recognising and providing for the National Grid. These requirements are generally contained in the NPS-ET, to which the Plan must give effect.

313. I note that Transpower [60.131] states that the approach adopted in the Plan is broadly supported, specifically the provision of a framework of objectives, policies and rules that recognises and appropriately provides for the National Grid, and the approach of provisions specific to Infrastructure being located within the Infrastructure Chapter as opposed to being dispersed throughout the PDP is also supported.

314. In relation to the submission from Transpower [60.83, 60.91, 60.96 and 60.135] for relocation of National Grid provisions from the EW- Earthworks and SUB – Subdivision chapter to the INF – Infrastructure chapter, I consider that for general plan users, it is preferable to have the land use control provisions relating to the National Grid Yard and Subdivision Corridor located within the respective zone or district wide chapters.

315. While I understand the position of Transpower in relation to the desire to have one set of provisions relating to the National Grid within the INF – Infrastructure chapter, including those which address reverse sensitivity effects to avoid duplication, I consider that the scope of the methods contained within the INF – Infrastructure chapter should remain focussed on the management of the effects of infrastructure on land use.

316. In relation to the National Planning Standards, the relevant standards are identified in section 4.5 of the Section 32 Evaluation Report Part 2 Infrastructure. This identifies that clause 5 of part 7 of the standards states that the chapters under the 'Energy, infrastructure and transport' heading may include provisions for the management of reverse sensitivity effects between infrastructure and other activities.

317. The Ministry for the Environment's document 'Guidance for District Plans Structure and Chapter Standards'⁵ (MfE Guidance) provides more detail on the standards, and states in relation to the 'Energy, infrastructure and transport' heading that:

You should locate most provisions related to energy, infrastructure and transport under this heading unless they are addressed in a specific, special purpose zone (such as a port or mining zone). This means these chapters may include provisions to do with issues such as earthworks when they are related to infrastructure. This is your choice. Any provisions that relate to another topic within these chapters must be cross-referenced to the relevant other chapter (earthworks in this example) for ease of use and navigation.

318. In relation to 'Earthworks' chapter, the document also states that:

⁵ Ministry for the Environment, 2019 (updated 2020), Guidance for District Plans Structure and Chapter Standards. Available from: <https://environment.govt.nz/assets/Publications/Files/guidance-district-plan-structure-and-chapter-standards.pdf> Accessed on: 6 October 2020.

For the Energy, infrastructure and transport chapter(s), the intention of the planning standards structure is to locate infrastructure-related provisions in one place in a plan. This is to provide clarity regarding the location of infrastructure provisions for councils, plan users and infrastructure providers. Centralising these provisions makes it easier for landowners who live adjacent to infrastructure corridors to understand their responsibilities around earthworks on or near their property. Direction 30 requires cross-referencing in the subdivision chapters to the relevant provisions under the Energy, infrastructure, and transport heading when this occurs.

319. Based on this guidance, I consider that there is a general expectation that provisions for managing reverse sensitivity in relation to infrastructure corridors would be located within the INF – Infrastructure chapter, consistent with the relief sought by the submitter. However, there does appear to be some flexibility, with no specific direction on this matter.
320. Contrary to the statement in the MfE Guidance document, as noted above, I consider that having the relevant provisions relating to the management of reverse sensitivity located in the subject or zone chapters makes it easier for landowners who live adjacent to infrastructure corridors to understand their responsibilities. For example, where a landowner wishes to subdivide their property and undertake earthworks to facilitate this, it will be more obvious that there are additional controls relating to any adjacent infrastructure where the relevant rules are located in the SUB – Subdivision and EW – Earthworks chapters alongside the general district-wide rules, rather than having to also refer to the INF – Infrastructure chapter.
321. The submitter notes the Proposed New Plymouth District Plan (PNPDP) as an example of a plan with a consolidated set of provisions managing reverse sensitivity for land uses adjacent to infrastructure corridors. The PNPDP includes separate National Grid and Gas Transmission Pipeline 'sections' within the NU – Network Utilities chapter of that plan, addressing activities including buildings and structures, earthworks, subdivision and sensitive activities within proximity of those networks. I consider that, while this is an acceptable approach, and provides ease of use for the network operators and owners, this could be very confusing for general plan users. I note that the 'Rules for other activities to protect the National Grid' start at rule NU-R32 in the chapter, and therefore may not be immediately obvious to plan users navigating the plan in an attempt to determine if their proposal will comply.
322. I also note that, like the PDP, the PNPDP also manages reverse sensitivity issues in relation to state highways within the NOISE – Noise chapter. This gives effect to the requirement of clause 33 (c) of part 7 of the National Planning Standards. However, this may create discordance, where there are two approaches to management of reverse sensitivity issues in relation to infrastructure. I consider that the location of the provisions for the management of reverse sensitivity in the relevant subject or zone chapters avoids this discordance.
323. I have also considered a third option, similar to that implemented through the Auckland Unitary Plan, where provisions for the management of reverse sensitivity are located within a separate chapter under the 'Energy, infrastructure and transport' heading. This would be similar to the separate chapters addressing other overlays. I consider that such an option would be consistent with the National Planning Standards, and would have benefits in avoiding the potential confusion from having these provisions within the INF – Infrastructure chapter. However, I consider that this option would also suffer from the need for general Plan users to be aware of and find these provisions, and therefore I consider that this option is also less preferable than the structure of the PDP.

324. I note as well that, as the Plan uses an ePlan format, once full functionality is achieved, users will be able to search by property which provides access to all of the relevant provisions in the Plan. This will mean that the actual location of those provisions within the plan is much less of an issue in comparison to older plan formats.
325. Transpower [60.96] also seeks that if GRZ-R5 and GRZ-R14 are not relocated to the INF – Infrastructure chapter, that policies to give effect to the rules be added, or clear cross-referencing to the Infrastructure chapter be included. I consider that the policies included in the INF – Infrastructure chapter already support the relevant rules, and therefore that no additional policies are required in the GRZ chapter. However, I agree that cross referencing to the INF - Infrastructure chapter would be beneficial for Plan users. My recommendations on [60.96] also extend to submissions [60.100, 60.104, 60.110 and 60.116] from the same submitter.
326. In relation to the submissions from Kāinga Ora [81.812, 81.936] which seek deletion of the National Grid provisions, the submitter acknowledges that the Plan must give effect to the NPS-ET. Because of the requirements of section 75(3)(a) of the RMA⁶, I consider that deletion of the provisions is not appropriate. However, the submitter does not clearly state why it considers that the provisions associated with the National Grid Corridor are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid. The submitter also does not propose any replacement provisions or provide any section 32AA assessment to support the deletion of the National Grid provisions. Because of this I consider that I am unable to undertake a detailed assessment of the submission points, as the relief sought is not clear. As such, I consider that these submission points should be rejected. The submitter may wish to address this and provide relevant evidence at the hearing.
327. In relation to the submission from Heather Phillips and Donald Love [79.5], I note the response from Transpower in their further submission [FS04.7] on this point:
- While Transpower supports the intent of the query and acknowledges that fires within proximity of the National Grid are a significant hazard, Transpower would not support regulation of such activities within the District Plan, noting fire permits are outside the ambit of the District Plan and air discharges are regulated by the regional plan.*
328. I agree with the points made by Transpower in this further submission, and I therefore consider that no amendments are required in response to the original submission from Heather Phillips and Donald Love [79.5].

3.6.1.3 Summary of recommendations

329. I recommend for the reasons given in the assessment, that the Hearings Panel:

Add a note to the chapters in Part 3: Area Specific Matters, within the notes section above the rules of each chapter, as set out below and in Appendix A;

Rules

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule,

⁶ A district plan must give effect to any national policy statement.

resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.

The INF – Infrastructure chapter contains objectives and policies relevant to activities in proximity of regionally significant infrastructure.

330. I recommend that the submissions from Transpower [60.139, 60.131] **be accepted**.
331. I recommend that the submissions from Transpower [60.96, 60.100, 60.104, 60.110 and 60.116] **be accepted in part**.
332. I recommend that the submissions from Kāinga Ora [81.812, 81.936], Transpower [60.83, 60.91] and Heather Phillips and Donald Love [79.5] be **rejected**.
333. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.2 Strategic objective FC-O2

3.6.2.1 Matters raised by submitters

334. Forest and Bird [225.86] seek that FC-O2 be amended to read:

The significance of the National Grid is recognised and integrated with subdivision and development proposals to ensure sustainable, secure and efficient electricity transmission is provided through the within the city in appropriate locations.

335. They also seek clarification as to whether the city means the central city. They consider that the amendments are needed as the provision for the National Grid should not override the policies of the NZCPS or be provided without consideration of adverse effects on indigenous biodiversity.
336. Transpower [60.25] seeks that the word “national” be inserted into FC-O2 so that it reads “the national significance”.
337. Kāinga Ora [81.203] seeks that the FC-O2 be deleted as a whole. The reason is that they oppose the current proposed package of objectives, policies, rules and definitions in the PDP as they consider them unduly restrictive and do not efficiently manage sensitive activities in respect to the National Grid. They do acknowledge the need for the PDP to give effect to the NPSET.

3.6.2.2 Assessment

338. In respect of Forest and Bird’s submission, I can clarify that city means Porirua City. I do not consider it necessary to amend it as FC-O2 is intended to apply across the city; however, for consistency the word city should be capitalised to be consistent with FC-O1. In respect to the other amendments sought, I do not consider them necessary. As I have addressed in earlier s42A reports, all the objectives in the Plan need to be read as a whole, and that is the case with the strategic objectives. FC-O2 is solely focused on giving effect to the NPSET; how it does so

and how it is integrated with subdivision and development proposals and where it is appropriate, is addressed specifically in the Infrastructure chapter.

339. I agree with Transpower that it is appropriate to insert “national” into FC-O2, to better give effect to the NPSET.
340. I do not understand the rationale that Kāinga Ora gives for seeking the deletion of FC-O2. As the submitter rightly identifies, the Council is legally obliged to give effect to the NPS-ET. FC-O2 directly gives effect to the NPS-ET. That the submitter disagrees with the lower level objectives, policies and rules in the PDP does not in my view warrant the deletion of this objective. I believe it would be beneficial for the Panel if the submitter were to address their rationale why FC-O2 should be deleted at the hearing, given the directive nature of the NPS-ET.

3.6.2.3 *Summary of recommendations*

341. I recommend for the reasons given in the assessment, that the submission from Transpower [60.25] **be accepted**.
342. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.86] **be accepted in part**.
343. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.203] **be rejected**.
344. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

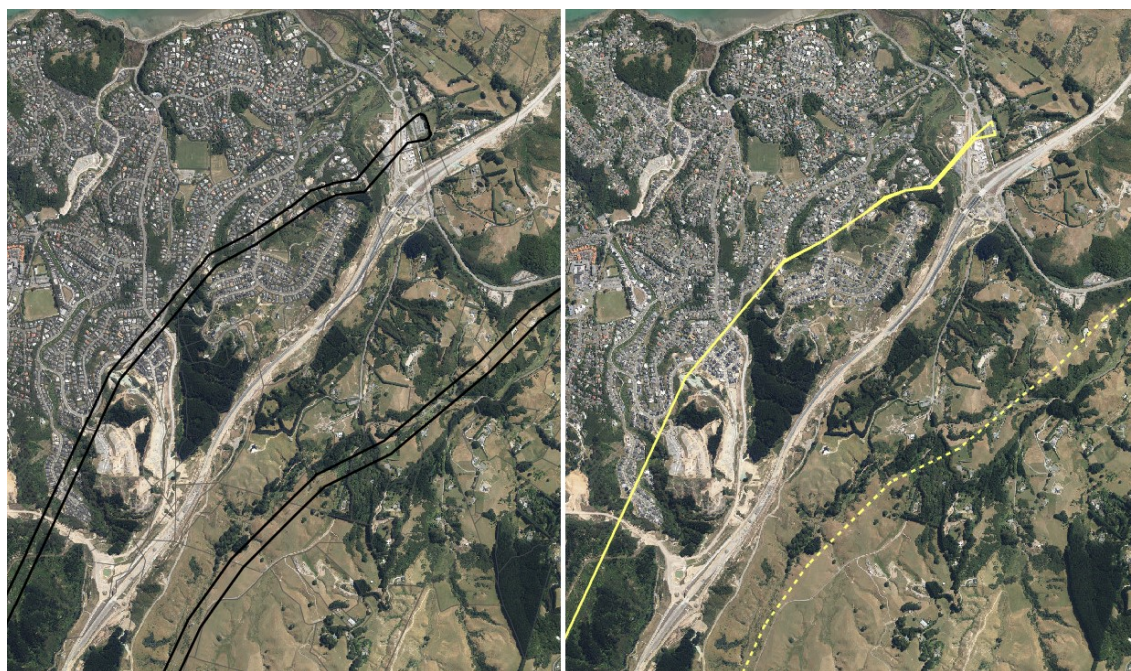
3.6.3 *Planning Maps*

3.6.3.1 *Matters raised by submitters*

345. Transpower [60.137] seeks that planning maps be amended to refer to the National Grid Transmission Line, rather than National Grid Corridor, and that the associated identification of the National Grid lines on the planning maps be the centreline, rather than the corridor. The given reasons for this are that the current mapping of the corridor may be confusing or misleading to Plan users, and the need to give effect to the NPS-ET Policy 12 and National Planning Standards.
346. Kāinga Ora [FS65.19] opposes this, to the extent it is inconsistent with its primary submission.

3.6.3.2 *Assessment*

347. The current planning maps identify the location of the National Grid transmission lines using the corridor area, as defined in the Plan. The Operative District Plan (ODP) identifies the transmission lines with a single centreline. These are shown in Figure 2 below for comparison.



Proposed District Plan

Operative District Plan

Figure 2: Transmission line location identification

- 348. Additionally, I note that the Kapiti Coast District Plan and Upper Hutt City District Plan also identify the transmission lines using a single centreline, while the Hutt City District Plan identifies National Grid corridor and yard areas, and the Wellington City District Plan uses both a centreline and buffer area on the planning maps.
- 349. As noted by the submitter, the National Planning Standards include a symbol in Table 20 for the identification of transmission lines, as shown in Figure 3 below

| | | |
|---------------------------------|-------|--|
| National grid line | — | Line RGB: 52, 52, 52 Line width: 2 pts |
| National grid underground cable | - - - | Line RGB: 52, 52, 52 RGB: 255, 255, 255 Line width: 3 pts |

Figure 3: Extract from National Planning Standards Table 20

- 350. While technically the National Planning Standards do not state whether the symbol identified in Table 20 of those standards should be used as a centreline, or as a polygon identifying an area as in in the Plan, I agree with the submitter that it is more likely that the intention is that it is to be used for identification of the centreline of transmission lines.
- 351. As definitions of the National Grid corridor and yard are included in the Plan which refer to the measurement from the centreline of the transmission lines, the identification of the centreline on the planning maps would aid Plan users and would integrate well with these definitions and the associated Plan provisions.
- 352. I therefore consider that it would be appropriate for the planning maps to be amended as requested by the submitter, as this would give effect to the relevant higher order documents, aid Plan interpretation and implementation, and be more consistent with the district plans of surrounding territorial authorities.

353. Consequently, I disagree with the further submission from Kāinga Ora [FS65.19].

3.6.3.3 Summary of recommendations

354. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the planning maps to identify the National Grid transmission lines using a centreline;

355. I recommend that the submissions from Transpower New Zealand Ltd [60.137] be **accepted**.

356. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.4 New objectives and policies sought

3.6.4.1 New objective – Protection of the National Grid

3.6.4.1.1 Matters raised by submitters

357. Transpower [60.31] seeks a new objective for the protection of the National Grid, as below:

INF-Ox The protection of the National Grid

The safety, efficiency, operation, maintenance, repair, upgrading, and development of the National Grid is not constrained or compromised by subdivision, use and development.

358. The submitter states that such an objective would give effect to Policies 10 and 11 of the NPS-ET, and Policy 8 of the RPS, and the reference to 'constrained or compromised' within the sought objective better reflects the NPS-ET.

3.6.4.1.2 Assessment

359. Policies 10 and 11 of the NPS-ET address the management of the adverse effects of third parties on the transmission network.

360. I consider that the existing provision in INF-O2 already sufficiently addresses the matters sought to be covered by the additional objective requested by the submitter at an objective level. I also note that the Plan contains a specific strategic objective for the National Grid at FC-O2.

361. I acknowledge that the NPS-ET refers in Policy 10 to the electricity transmission network not being compromised, however the word 'constrained' is only used in the preamble to the policy statement. Policy INF-P5 addresses adverse effects on regionally significant infrastructure, which includes reference to that infrastructure not being 'compromised'. I consider that it is more appropriate to include this wording at the policy level. Section 3.6.5.1 below addresses the submission on INF-P5.

3.6.4.1.3 Summary of recommendations

362. I recommend for the reasons given in the assessment, that the submission from Transpower [60.31] be **rejected**.

363. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.4.2 *New policy - Maintenance, operation and minor upgrade of the National Grid*

3.6.4.2.1 *Matters raised by submitters*

364. Transpower New Zealand Ltd [60.36] seeks that a new policy is included as below:

INF-Pxx Maintenance, operation and minor upgrade the National Grid

Enable the reasonable operation, repair, maintenance, replacement and minor upgrade of the National Grid.

365. The reasons given are that recognition of the need to operate, maintain and upgrade the National Grid is sought, as these activities are not captured by policies INF-P6 or INF-P7, and there will be instances where such activities require consent under the NES-ETA and a specific policy framework is required, there is a policy gap in the Plan for such activities, and such a policy would give effect to NPSET Policies 2 and 5.

3.6.4.2.2 *Assessment*

366. I note that Policies 2 and 5 of the NPS-ET state:

Policy 2 - 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.

Policy 5 - When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

367. While INF-P4 generally covers the matters sought to be addressed by the additional policy sought by submitter, I agree with the submitter in as far as it would be beneficial to have specific policy direction for the operation and the maintenance and repair of the National Grid that is not permitted by the NES-ETA, and therefore considered through a resource consent process. This would be efficient and effective, as there would be no doubt as to the applicability of the policy to activities associated with the National Grid.

368. However, I consider that upgrading activities are sufficiently addressed through INF-P6 which is specifically drafted to address upgrading of the National Grid, and therefore a new policy does not need to address 'minor upgrading' activities as sought by the submitter. I note that the NES-ETA includes regulations permitting upgrading activities (along with operation and maintenance activities) for existing transmission lines.

369. I consider that such an additional policy should be based on the wording of INF-P4 but amended to be specific to the National Grid. I consider that this would give effect to Policy 2 and 5 of the NES-ETA as noted above, FC-O2, and INF-O5.

370. Within the inclusion of such a policy, and taking into account the other amendments I recommend in section 3.6 in relation to the National Grid, the INF – Infrastructure chapter will contain a comprehensive suite of policies relating to the National Grid, giving effect to the NPS-ET.

3.6.4.2.3 *Summary of recommendations*

371. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Add** a new policy to the INF – Infrastructure chapter as set out below and in Appendix A;

INF- P7 Operation and maintenance and repair of the National Grid⁷

Provide for the operation and the maintenance and repair of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, that:

1. Minimises adverse effects on the environment; and
2. Where located within a specified Overlay, is of a nature and scale that does not adversely impact on the values and characteristics of the areas identified by the specified overlays that it is located within.

b. Make consequential amendments to chapter numbering to reflect the outcomes sought;

372. I recommend that the submissions from Transpower New Zealand Ltd [60.36] be **accepted**.

373. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.4.3 New policy - Benefits of the National Grid

3.6.4.3.1 Matters raised by submitters

374. Transpower New Zealand Ltd [60.34] seeks a new policy be added as below:

INF-Px The benefits of the National Grid

Recognise and provide for the social, economic, environmental and cultural benefits of the National Grid, including sustainable, secure and efficient electricity transmission.

375. No specific reasons are given for the submitter's preference for a separate policy for the National Grid.

3.6.4.3.2 Assessment

376. I do not agree with the submitter that a new, separate policy is required. I consider that the recognition of the benefits of electricity transmission infrastructure is adequately addressed by INF-P1-1 and providing for that infrastructure is addressed by policies specific to the National Grid, and therefore that the addition of a new, separate policy would not be efficient or effective.

3.6.4.3.3 Summary of recommendations

377. I recommend that the submission from Transpower [60.34] be **rejected**.

378. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

⁷ Transpower New Zealand Ltd [60.36]

3.6.5 Policies

3.6.5.1 INF-P5

3.6.5.1.1 Matters raised by submitters

379. Transpower [60.134], while stating that Policy INF-P5 is comprehensive in the matters it addresses, seeks that the policy is amended by splitting the policy and having a specific National Grid policy. The submitter also seeks that:

- The matters of consideration be extended given the policy will be applied as matters of discretion under SUB-R15;
- The policy also apply to the National Grid Pāuatahanui Substation Yard given that is also covered in SUB-R15;
- Removal of the word 'unreasonably' as the term introduces a subjective element which is not appropriate in context of the National Grid and the NPS-ET; and
- Removal of the reference to 'remedies or mitigated' given the policy directive within Policy 10 and Policy 11 of the NPSET for avoidance.

380. The submitter's reasons are that a specific policy would recognise the national significance of the National Grid and give effect to the NPS-ET.

381. Kāinga Ora [81.251] seeks that the policy is deleted, for the reasons that:

- It does not support the term 'avoid' with a corresponding non-complying rule framework;
- It opposes the National Grid provisions in their current form and seeks the full package be amended; and
- The proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid;

3.6.5.1.2 Assessment

382. I agree with Transpower [60.134] that it would be appropriate to have a separate policy for the National Grid. The current policy has clauses specific to the National Grid which would appropriately form the basis of such a policy. I consider that a separate policy in relation to adverse effects on the National Grid would better give effect to the NPS-ET.

383. I also agree with Transpower [60.134] in relation to the additional matters relating to proposed vegetation to be planted within the National Grid Yard, and the outcome of consultation with Transpower. I consider that these are appropriate matters to be considered for any resource consent processes. Additionally, I also agree that the National Grid Pāuatahanui Substation Yard should also be included within the policy, given that SUB-R15 includes subdivision within this area, and uses INF-P5 as the matters of discretion.

384. The removal of the words 'unreasonably' and 'remedied or mitigated', is also, in my opinion, appropriate given the direction of Policy 10 of the NPS-ET, and the requirement of the RPS Policy 8 to protect regionally significant infrastructure from incompatible new subdivision, use and development. However, I consider that the new separate policy should seek to avoid reverse sensitivity effects on the National Grid, while any other effects are avoided, remedied or mitigated, as this gives effect to the higher order direction.

385. In relation to the submission from Kāinga Ora [81.251], as discussed in section 9.11 of the Officers' Report: Part A – Overarching Report, the use of the term 'avoid' has been carefully considered in the drafting of the Plan provisions. I consider that a non-complying activity status is appropriate in conjunction with the 'avoid' policy wording in relation to the National Grid due to the significant risk from reverse sensitivity effects from sensitive activities being located within the Corridor. Additionally, I note that the direction in Policy 10 of the NPS-ET is to *avoid* reverse sensitivity effects on the electricity transmission network to the extent reasonably possible by managing activities. The district plan must give effect to the NPS-ET. I consider that the use of the 'avoid' policy achieves this.
386. I note that the wider submission from Kāinga Ora on the deletion of the National Grid provisions is addressed in section 3.6.1 above.

3.6.5.1.3 Summary of recommendations

387. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P5 as set out in Appendix A;
- b. **Add** a new policy to the INF – Infrastructure chapter 'Adverse effects on the National Grid' as set out in Appendix A;

Note: The recommended amendments are not included here due to length.

388. I recommend that the submission from Transpower [60.134] be **accepted in part**.
389. I recommend that the submission from Kāinga Ora [81.251] be **rejected**.
390. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.5.2 INF-P6

3.6.5.2.1 Matters raised by submitters

391. Kāinga Ora [81.252] seeks that the policy is deleted, for the reasons that it opposes the National Grid provisions in their current form and seeks the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.
392. Transpower [60.37] seeks that INF-P6 and INF-P7 are merged into one policy given their similarity, and a range of amendments made generally to give effect to directives in the NPS-ET.
393. Forest and Bird [225.111] seeks that clause 3 of the policy is deleted and a new clause added '[p]rotecting SNAs and natural wetlands and maintaining indigenous biological diversity', for the reasons that it is not appropriate to limit consideration of effects on SNAs to the application of the mitigation hierarchy and matters in specified policies and protection of SNAs should not be limited to identified areas.

3.6.5.2.2 Assessment

394. In relation to the submission from Kāinga Ora [81.252] I consider that deletion of the National Grid provisions sought by Kāinga Ora is not appropriate, for the same reasons as stated in section 3.6.1 above.

395. I disagree with the submission from Transpower [60.37] to integrate policies INF-P6 and INF-P7. INF-R34 refers to INF-P6 as matters of discretion. Integrating INF-P6 and INF-P7 would result in confusion as to the relevant matters of discretion to be applied, and therefore I consider that it is better to keep the policy separate.
396. I also disagree that balancing Policies 2, 6 and 7 of the NPS-ET results in only 'material' adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities being considered. I consider that Policy 7 provides clear direction for the avoidance of adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.
397. In relation to the deletion of the wording relating to the Coastal Environment, while no National Grid assets are located within Porirua's coastal environment currently, if assets are developed in that environment in the future, they would be subject to the upgrade policy if they were to be subsequently upgraded. I disagree that the sentence sought relating to the coastal environment sufficiently addresses this matter, as the wording sought is relatively loose and I consider that the tensions between the NPS-ET and the NZCPS need to be resolved through the Plan, rather than through resource consent processes, consistent with High Court decisions on the consideration of proposals within coastal environments.
398. I consider that there is no need for the last sentence sought relating to the precedence of the National Grid policy over other policies, as the other relevant policies include the phrase '[e]xcept as provided for by INF-P6 and INF-P7', which I consider to be clearer.
399. In relation to the submission from Forest and Bird [225.111], I do not agree with the amendments sought by the submitter, as clause three of INF-P6 reflects the wording of INF-P20 and I consider that the ECO – Ecosystem and Indigenous Biodiversity chapter policies cross-referenced in the clause provide sufficient coverage of any potential adverse effects to be considered through a resource consent process. As noted in section 3.8.3, the Officer's Report: Part B – Natural Environment Strategic Objectives, prepared by Gina Sweetman, addresses the need for additional provisions to protect indigenous biodiversity.

3.6.5.2.3 *Summary of recommendations*

400. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.252], Forest and Bird [225.111] and Transpower [60.37] be **rejected**.
401. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.5.3 *INF-P7*

3.6.5.3.1 *Matters raised by submitters*

402. Transpower [60.38] seeks the relief sought in [60.37] relating to INF-P6.
403. Forest and Bird [225.112] seeks that clause four is amended to refer to avoidance of adverse effects of the National Grid on SNAs within the Coastal Environment and natural wetlands and a new clause be added '[p]rotecting SNAs and natural wetlands and maintaining indigenous biological diversity', for the reason that the policy is inconsistent with Policy 11 of the NZCPS and the NPS-FM.

404. Kāinga Ora [81.253] seeks that the policy is deleted, for the reasons that it opposes the National Grid provisions in their current form and seeks the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

3.6.5.3.2 *Assessment*

405. In relation to Transpower [60.38], my assessment of the relief sought is set out in 3.6.5.2 above. However, specifically in relation to INF-P7 I consider that the policy should be amended to refer to SCHED11 - Coastal High Natural Character Areas in clause two. While recognising that I have not recommended that INF-P6 and INF-P7 be merged as sought by the submitter, a policy clause seeking to avoid the adverse effects of the National Grid within SCHED11 - Coastal High Natural Character Areas is consistent with the outcome sought in the submission.
406. In relation to the submission from Kāinga Ora [81.252] I consider that deletion of the National Grid provisions sought by Kāinga Ora is not appropriate, for the same reasons as stated in section 3.6.1 above.
407. In relation to the submission from Forest and Bird [225.112], I do not agree with the amendments sought by the submitter, as clause four of INF-P6 reflects the wording of INF-P20 and I consider that the ECO – Ecosystem and Indigenous Biodiversity chapter policies cross-referenced in the clause provide sufficient coverage of any potential adverse effects to be considered through a resource consent process. Specifically, this clause cross-references ECO-P12, which addresses SNAs within the coastal environment. As noted in section 3.8.3, the Officer's Report: Part B – Natural Environment Strategic Objectives, prepared by Gina Sweetman, addresses the need for additional provisions to protect indigenous biodiversity.
408. I also note that wetlands are addressed broadly in section 3.8.2 below. However, specifically to the submitter's point, the NES-F, which implements in part the NPS-FM, now addresses activities within and in proximity of wetlands, including 'specified infrastructure' which includes the National Grid. Construction of specified infrastructure is given a discretionary activity status under regulation 45 of the NES-F. This would therefore not appear to support an 'avoid' policy direction as sought by the submitter.

3.6.5.3.3 *Summary of recommendations*

409. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.253], Forest and Bird [225.112] and Transpower [60.38] be **rejected**.
410. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.5.4 *INF-P24*

3.6.5.4.1 *Matters raised by submitters*

411. WELL [85.22] seeks that the policy include reference to 'associated equipment', for the reason to provide recognition of the integrated nature of WELL's operation within or adjacent to the substation yard.
412. Kāinga Ora [81.270] seeks deletion of the policy, for the reasons that it opposes the National Grid provisions in their current form and seek the full package be amended, and the proposed

National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

413. Transpower [60.47] seeks that the policy is amended to refer to 'new buildings for sensitive activities', rather than 'buildings, structures and activities'. No direct reasons are given for this amendment.

3.6.5.4.2 Assessment

414. In relation to the submission from WELL [85.22], Policy 10 of the NPS-ET to which the policy is giving effect, requires the management of activities to avoid reverse sensitivity effects on the transmission network to the extent reasonably possible. The NPS-ET defines the transmission network as:

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

415. The substation is therefore defined as being a part of the transmission network. This does not include any associated equipment within or adjacent to the substation yard owned and operated by other organisations. I therefore do not consider that it would be appropriate to include the requested additional wording.
416. For these reasons, I also consider the deletion of the policy, as sought by Kāinga Ora [81.270] is not appropriate, as this would not give effect to Policy 10 of the NPS-ET. I note that the wider submission from Kāinga Ora on the deletion of the National Grid provisions is addressed in section 3.6.1 above.
417. I do not agree with the amendment sought by Transpower [60.47], as the relevant rules which refer to this policy as the matters of discretion refer to buildings and structures, including addition[s] and alterations (e.g. SETZ-R19), and activities (e.g. SETZ-R20), within the National Grid Pāuatahanui Substation Yard. The amendment sought would therefore not align with the activities being controlled by these rules.

3.6.5.4.3 Summary of recommendations

418. I recommend for the reasons given in the assessment, that the submission from WELL [85.22], Kāinga Ora [81.270] and Transpower [60.47] be **rejected**.
419. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.6 INF-R25

3.6.6.1 Matters raised by submitters

420. Kāinga Ora [81.297] seeks that the rule is amended to delete the clauses relating to the National Grid, for the reasons that it opposes the National Grid provisions in their current form and seek the full package be amended and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

421. Transpower [60.54] seeks that the rule is amended to delete the clauses relating to the National Grid, as the submitter has a preference for a standalone set of provisions for the National Grid within the chapter.

3.6.6.2 *Assessment*

422. I disagree with both Kāinga Ora [81.297] and Transpower [60.54].

423. I note that the wider submission from Kāinga Ora on the deletion of the National Grid provisions is addressed in section 3.6.1 above. I consider that the control of activities is required within the National Grid Yard to give effect to the NPS-ET Policy 10. Deletion of the provisions would not give effect to the NPS-ET, and therefore would not be in accordance with section 75(3)(a) of the RMA.

424. In relation to the request by Transpower for a standalone set of provisions within the INF – Infrastructure chapter, this is addressed more broadly in section 3.6.1 above.

3.6.6.3 *Summary of recommendations*

425. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.29] and Transpower [60.54] be **rejected**.

426. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.7 *Cross-references to INF-R34*

3.6.7.1 *Matters raised by submitters*

427. Transpower [60.57, 60.60 and 60.61] seeks that INF-R39, INF-R44 and INF-R45 be amended to specifically exclude activities captured under INF-34, for the reasons that it would provide clarity as to the relationship with INF-R34.

3.6.7.2 *Assessment*

428. Rule INF-R34 applies across all land including within any overlays. This is made clear in the introduction. Therefore, it is not necessary to include the exclusion in the titles for these rules, as sought by the submitter.

3.6.7.3 *Summary of recommendations*

429. I recommend for the reasons given in the assessment, that the submission from Transpower [60.57, 60.60 and 60.61] be **rejected**.

3.6.8 *General District-Wide provisions*

3.6.8.1 *Matters raised by submitters*

430. Kāinga Ora [81.487, 81.491 and 81.466] seeks that EW-P5 be amended to delete the National Grid reference in the policy and EW-R4 and SUB-R15 be deleted in their entirety, for the reasons that it opposes the National Grid provisions in their current form and seek the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

3.6.8.2 Assessment

431. I consider that deletion of the National Grid provisions sought by Kāinga Ora [81.487, 81.491 and 81.466] is not appropriate, for the same reasons as stated in section 3.6.1 above.

3.6.8.3 Summary of recommendations

432. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.487, 81.491 and 81.466] be **rejected**.

433. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission

3.6.9 Area Specific Matters provisions

3.6.9.1 Matters raised by submitters

434. Transpower [60.98 and 60.99] seeks amendments to GRZ-R5 and GRZ-R14 to:

- Merge the two National Grid Yard rules within the Residential, Rural, Open Space and Future urban zones into one rule;
- Include hazardous substances within the rule;
- Include the requirement that all permitted buildings and structures under the line must achieve a minimum vertical clearance distance (from the conductors) as required by NZECP34;
- Clarification that buildings and structures not explicitly provided for are non-complying activities; and
- Inclusion of notes related to compliance with the Electricity (Hazards from Trees) Regulations 2003 and the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

435. Transpower [60.102, 60.103, 60.105, 60.118, 60.119, 60.106, 60.112 and 60.113] seeks the same amendments sought to GRZ-R5 and GRZ-R14 to also be applied to GRUZ-R2, GRUZ-R13, RLZ-R2, FUZ-R2, FUZ-R13, RLZ-R13, OSZ-R2, OSZ-R11.

436. Transpower [60.136 and 60.107] seeks deletion of RLZ-R16 and replacement with a restricted discretionary rule located within the INF – Infrastructure chapter, and deletion of RLZ-R17, for the reasons that the consent should be able to be declined.

437. Transpower [60.114, 60.115, 60.108 and 60.109] seeks the same amendments sought to RLZ-R16 and RLZ-R17 to be applied to OSZ-R13, OSZ-R14, SETZ-R19 and SETZ-R20.

438. Transpower [60.111] seeks that OSZ-P5 be amended to include reference to operational need, to also recognise the operational need for infrastructure to operate on a site.

439. Kāinga Ora [81.542, 81.551, 81.826 and 81.837] seeks that GRZ-R5, GRZ-R14, FUZ-R2 and FUZ-R13 be deleted, for the reasons that it opposes the National Grid provisions in their current form and seeks the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

440. Kāinga Ora [81.643, 81.644, 81.645 and 81.815] seeks deletion of provisions relating to the National Grid in the GRZ, RLZ, SETZ and FUZ consistent with its overall submission on the Plan.
441. Kāinga Ora and Transpower oppose each other's submissions in relation to the National Grid provisions.

3.6.9.2 Assessment

442. I disagree with the submissions from Transpower [60.98 and 60.99] for the merging of and amendments to GRZ-R5 and GRZ-R14. The zone chapters have a structure that separates the rules for buildings and structures, and land use activities. As such, the merging of the rules as sought by the submitter would be discordant with this chapter structure.
443. There is a separate HAZ – Hazardous Substances chapter in the Plan. If controls on hazardous substances were to be imposed in proximity to the National Grid, they would be better to be located in that chapter. However, I note that the HAZ – Hazardous Substances chapter contains only objectives and policies and relies on the range of legislation that controls hazardous substances to manage these activities. Transpower has not provided any evidence that there is a regulatory gap in the management of hazardous substances in relation to the National Grid which would mean that a land use control response under the RMA framework would be appropriate in a district plan. As such, I do not consider that any amendments should be made to the Plan to include controls on hazardous substances in proximity to the National Grid.
444. I consider that GRZ-R5 and GRZ-R14 are sufficiently clear that any activities that do not comply with the permitted activity rules elevate to the non-complying activity rules. Additionally, these rules contain notes on the need to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) under the Electricity Act 1992. As such I do not consider that requirements to comply with this code of practice is necessary to include in the rules.
445. I do not consider that there is a need to include the note relating to the Electricity (Hazards from Trees) Regulations 2003, as this note does not appear to add any relevant information for Plan users.
446. Additionally, I consider that the rule wording sought by the submitter is quite complex and includes a range of exclusions and standards for specific building types. I consider that the rules proposed through the Plan provide a simpler framework, and therefore will have benefits for Plan implementation.
447. As such, I do not consider that the amendments sought by the submitter to GRZ-R5 and GRZ-R14 are appropriate. This conclusion also extends to those submissions that sought the same outcome for similar rules in other chapters [60.102, 60.103, 60.105, 60.118, 60.119, 60.106, 60.112 and 60.113].
448. I also disagree with the submissions from Transpower [60.136 and 60.107] relating to the rules for buildings, structures and activities within the National Grid Pāuatahanui Substation Yard. Given the relatively small area covered by the Yard, the surrounding land uses and the relatively large surrounding lot sizes, I consider that controlled activity status will be sufficient to enable the protection of this infrastructure from potential reverse sensitivity effects from future development. This conclusion also extends to those submissions that sought the same outcome for similar rules in other chapters [60.114, 60.115, 60.108 and 60.109].

449. In relation to the submission from Transpower [60.111], I do not consider the amendment sought to be necessary, as any proposed infrastructure would be assessed under the INF – Infrastructure chapter and OSZ-P5 would not be relevant.
450. In relation to the submissions from Kāinga Ora [81.542, 81.551, 81.643, 81.644, 81.645, 81.815, 81.826 and 81.837], I consider that deletion of the National Grid provisions is not appropriate, for the same reasons as stated in section 3.6.1 above.

3.6.9.3 *Summary of recommendations*

451. I recommend for the reasons given in the assessment, that the submissions from Transpower [60.102, 60.103, 60.105, 60.106, 60.107, 60.108, 60.109, 60.111, 60.112, 60.113, 60.114, 60.115, 60.118, 60.119 and 60.136] and Kāinga Ora [81.542, 81.551, 81.643, 81.644, 81.645, 81.815, 81.826 and 81.837] be **rejected**.
452. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.10 *Definitions*

3.6.10.1 *National Grid*

3.6.10.1.1 *Matters raised by submitters*

453. Transpower [60.10] seeks that the definition of 'National Grid', which is taken from the NES-ETA, is deleted and replaced with the definition from the NPS-ET. The submitter states that the definition from the NES-ETA limits the application of the term to those assets existing at the time the regulations came into effect and would therefore not apply to assets post 2009.
454. Kāinga Ora [81.108] seeks that the definition is retained.

3.6.10.1.2 *Assessment*

455. I agree with Transpower [60.10] for the reasons stated. I also consider that the amended definition provides a simpler and more easily implemented definition, aligns with the definition used in other district plans (including Auckland, Christchurch, Hutt City, and Kapiti Coast) and better integrates with the objectives and policies in the Plan intended to give effect to the NPS-ET.
456. However, I consider that instead of simply referring to the NPS-ET in the definition as sought by the submitter, the definition in the Plan should quote that definition and state the section of the policy statement where it is located, to be consistent with the format of other definitions in the Plan.
457. For the same reasons, I do not agree with Kāinga Ora [81.108] that the definition taken from the NES-ETA should be retained.

3.6.10.1.3 *Summary of recommendations*

458. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'National Grid' in the Definitions chapter as set out below and in Appendix A;

| | |
|----------------------|---|
| National Grid | <p>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p>means the network that transmits high voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including—</p> <p>1. transmission lines; and</p> <p>2. electricity substations.</p> <p><u>has the same meaning as in section 3 of the National Policy Statement on Electricity Transmission 2008:</u></p> <p><u>means the assets used or owned by Transpower NZ Limited.</u></p> |
|----------------------|---|

459. I recommend that the submission from Transpower [60.10] be **accepted in part**.
460. I recommend that the submission from Kainga Ora [81.108] be **rejected**.
461. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.10.2 National Grid Corridor

3.6.10.2.1 Matters raised by submitters

462. Transpower [60.132] seeks that the definition of 'National Grid Corridor' be amended to 'National Grid Subdivision Corridor', including any consequential amendments, for the reason to provide clarity as to how the definition differs from the National Grid Yard.
463. Kāinga Ora [81.109] seeks deletion of the definition, for the reasons that it opposes the National Grid provisions in their current form and seek the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

3.6.10.2.2 Assessment

464. I agree with Transpower [60.132] for the reasons stated. The term is only used in the Plan within the SUB – Subdivision and INF – Infrastructure chapters. Within the INF – Infrastructure chapter it is used in relation to a policy supporting the subdivision rules. Therefore, the inclusion of the word 'subdivision' within the term provides clarity as to the application of the geographic area defined by the term in the plan. I also consider that the amended definition better aligns with the definition used in other district plans (including Auckland and Kāpiti Coast).
465. I do not agree with Kāinga Ora [81.109] that the definition should be deleted. The definition is important for implementing the NPS-ET, specifically Policy 10 as discussed in section 3.6.1 above. Without the corridor, including an appropriate definition, subdivision activities and subsequent land use and development, may result in reverse sensitivity effects, or the operation, maintenance, upgrading, and development of the electricity transmission network being compromised.

3.6.10.2.3 Summary of recommendations

466. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the definition of 'National Grid' in the Definitions chapter as set out below and in Appendix A;

| | |
|--|--|
| <p>National Grid Subdivision Corridor</p> | <p>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> <p>a. 14m of a 110kV transmission line on single poles;</p> <p>b. 16m of a 110kV transmission line on pi poles;</p> <p>c. 32m of a 110kV transmission line on towers;</p> <p>d. 37m of a 220kV transmission line.</p> <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 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 <u>Subdivision</u> 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 <u>Subdivision</u> Corridor.</p> |
|--|--|

- b. Make a consequential amendment to SUB-R15 and the Plan map notations to reflect the outcomes sought;

467. I recommend that the submissions from Transpower [60.132] be **accepted in part**.

468. I recommend that the submissions from Kāinga Ora [81.109] be **rejected**.

469. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.10.3 National Grid Pāuatahanui Substation Yard

3.6.10.3.1 Matters raised by submitters

470. Kāinga Ora [81.110] seeks deletion of the definition, for the reasons that it opposes the National Grid provisions in their current form and seek the full package be amended, and the proposed National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid.

3.6.10.3.2 Assessment

471. I do not agree with Kāinga Ora [81.110] that the definition should be deleted. The definition is important for implementing the NPS-ET, specifically Policy 10 as discussed in section 3.6.1 above. Without the National Grid Pāuatahanui Substation Yard, including an appropriate definition, subdivision activities and subsequent land use and development, may result in reverse sensitivity effects, or the operation, maintenance, upgrading, and development of the Pāuatahanui Substation being compromised.

3.6.10.3.3 *Summary of recommendations*

472. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.110] be **rejected**.

473. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.10.4 *National Grid Yard*

3.6.10.4.1 *Matters raised by submitters*

474. Kāinga Ora [81.111] seeks deletion of the definition, for the reasons that it opposes the National Grid provisions in their current form and seeks the full package be amended.

3.6.10.4.2 *Assessment*

475. I do not agree with Kāinga Ora [81.111] that the definition should be deleted. The definition is important for implementing the NPS-ET, specifically Policy 10 as discussed in section 3.6.1 above. Without the National Grid Yard, including an appropriate definition, land use and development may result in reverse sensitivity effects, or the operation, maintenance, upgrading, and development of the National Grid being compromised.

3.6.10.4.3 *Summary of recommendations*

476. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.111] be **rejected**.

477. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.7 **Sub-transmission lines**

3.7.1 ***Matters raised by submitters***

478. WELL [85.7 and 85.23] seeks that provision is made in the PDP to identify Transmission Lines that are not defined by the NES-ETA. The submitter owns and operates a significant network of Sub-transmission lines across the Porirua District and wider Wellington Region, which are designed to operate for higher voltage transmission purposes and consequently represent transmission lines that are discrete to the local-lines network and are a part of the network that 'does not relate to an existing transmission line that is part of the National Grid'.

3.7.2 ***Assessment***

479. I agree with the submitter that it would be beneficial to provide some context on the existence of the sub-transmission lines within Porirua and which are not regulated by the NES-ETA, and that these are managed by the rules and standards within the Plan.

480. I note that sub-transmission lines are appropriately provided for in the Plan under INF-R18 (when aboveground) and INF-R15 (when below ground). These rules specifically exclude transmission lines above 110 kilovolts. The sub-transmission line network operated by the submitter is noted by the submitter as being operated at a voltage of between 11 kilovolts and 33 kilovolts. I note that the submitter has not submitted on any INF – Infrastructure chapter rules.

3.7.3 Summary of recommendations

481. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the notes to the rules in the INF - Infrastructure chapter as set out below and in Appendix A;

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 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 (NESETA). Except as provided for by these Regulations, no rules in the Plan apply to activities regulated by the NESETA. Where an activity is not regulated by the NESETA (for example the activity ~~does not relate~~ to an ~~existing~~ transmission line that is part of the National Grid but which was developed after the gazettal of the NESETA, or where new National Grid transmission lines and associated structures are proposed), the rules and standards in the District Plan apply. The operation, maintenance, upgrade and development of sub-transmission lines that carry electricity from the National Grid to the local distribution network are also subject to the rules and standards in the District Plan.

482. I recommend that the submissions from WELL [85.7 and 85.23] be **accepted in part**.

483. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8 Ecosystems and indigenous biodiversity

3.8.1 General submissions

3.8.1.1 Matters raised by submitters

484. Forest and Bird [225.30 and 25.253] seek that the chapter is amended so that the ECO – Ecosystems and Indigenous Biodiversity chapter applies to the INF – Infrastructure chapter, and that every consent decision can consider effects on indigenous biodiversity and does not prevent the consideration of ECO – Ecosystems and Indigenous Biodiversity chapter objectives, Strategic objectives, the NZCPS, NPS-FM, or other higher order documents, such as a future NPS for indigenous biodiversity. The reasons for this are stated as being that the chapter is directive in providing for infrastructure across Porirua; this is incompatible with Council's s6(c) obligation; the objectives provide for infrastructure over the protection of SNAs; loss of indigenous biodiversity due to the absence of adequate provisions for protection; provision for infrastructure is secondary to s6(c) of the RMA; does not allow decision makers to consider the full spectrum of ECO policies which implement the objectives, or consider the ECO and strategic objectives.

485. Waka Kotahi [82.299] seeks amendments to provide for continued operation and maintenance of the highway network in natural environment areas in particular circumstances, with the reasons being to ensure that Waka Kotahi can carry out its statutory obligations, reduce interpretation and processing complications for decision makers, and provide clarity for all plan users.

486. Ryan Family Trust [138.6] seeks that the rules be amended to allow tree trimming within an SNA to comply with the 'Health and Safety Act Part 2 "Maintenance of trees around Power Lines"' and NZECP 34:2001 "Electrical Safe Distances" without resource consent, to bring a better balance between owner's rights, responsibilities, environmental management and cost-effective administration.
487. Firstgas Limited [84.39] seeks that provision is made for trimming, pruning or removal of indigenous vegetation to within six metres of a Gas Transmission pipeline, to ensure the safety and access to the pipeline.

3.8.1.2 Assessment

488. In relation to the submissions from Forest and Bird [225.30 and 25.253], this matter is addressed in section 3.4 above in relation to the wider issue of relationship with overlays. I also note that further submissions from Powerco Limited [FS37.8], Transpower [FS04.31] and Kāinga Ora FS65.87 oppose submission [225.30].
489. The submission from Waka Kotahi [82.299] does not set out any specific amendments sought. I therefore note that the specific amendments sought to the chapter relating to provisions which manage infrastructure within SNAs, including transport infrastructure, are addressed in the other relevant sections of this report. However, at a general level I agree with the submitter that the provisions should appropriately provide for continued operation and maintenance of the highway network, including within 'natural environment areas'.
490. In relation to the submission from Ryan Family Trust [138.6], INF-S18 provides for trimming, pruning or removal of indigenous vegetation within two metres of the footprint of existing infrastructure where no more than 20 square metres of indigenous vegetation is removed within any 12 month period. However, the standard also includes an exclusion for works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003. This standard is referred to in INF-R5 for maintenance and repair and removal of existing infrastructure within overlays, including SNAs. Therefore, I consider that the provisions as included in the Plan provide an appropriate balance, and sufficiently enable the management of vegetation within an SNA where there is existing electricity distribution infrastructure.
491. In relation to the submission from Firstgas Limited [84.39], I note that the gas transmission network within Porirua has been proposed to be designated (unique identifier FGL-01), with the designation being six metres either side of the pipelines to align with existing easements. The purpose of the designation is the 'Ongoing operation and maintenance of the Gas Transmission Network within the Porirua District, inclusive of above-ground incidental equipment'. This designation will be addressed through Hearing Stream 6. Under section 176 of the RMA, if the designation is confirmed, section 9(3) of the RMA will not apply to a public work or project or work undertaken by First Gas under the designation. This means that the rules of the Plan, including those relating to SNAs, will not apply to works for the operation and maintenance of the Gas Transmission Network, within the designation. As such, I do not consider that additional provision to allow for trimming, pruning or removal of indigenous vegetation to within six metres of a Gas Transmission pipeline, as sought by the submitter, is necessary.

3.8.1.3 Summary of recommendations

492. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.299] be **accepted in part**.

493. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.30 and 25.253], Ryan Family Trust [138.6] and Firstgas Limited [84.39] be **rejected**.
494. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.2 Wetlands

3.8.2.1 Matters raised by submitters

495. Forest and Bird [225.128, 225.129, 225.130, 225.133, 225.137] seeks a 15 metre setback from wetlands be added. These submissions in relation to setbacks from wetlands are addressed in the section 42A report 'Officer's Report: Part B - Ecosystems and Indigenous Biodiversity'.
496. Waka Kotahi [82.61] seeks that INF-R5 is amended to exclude maintenance and repair works associated with the ongoing safe and efficient operation of the transport network from the requirement in INF-R5-1.b that the infrastructure not be located within a wetland within an SNA, and to make this a restricted discretionary activity under INF-R5-2.

3.8.2.2 Assessment

497. I note that, in relation to the setbacks from wetlands sought by Forest and Bird [225.128, 225.129, 225.130, 225.133, 225.137], the section 42A report 'Officer's Report: Part B - Ecosystems and Indigenous Biodiversity' recommends that the submissions be rejected. The reasons for this recommendation are contained in that section 42A report.
498. I do not agree with the submission from Waka Kotahi [82.61] for the same reasons expressed in section 3.7 of the section 42A report 'Officer's Report: Part B - Ecosystems and Indigenous Biodiversity'. The NPS-FM and NES-FW, which came into force subsequent to the notification of the PDP, provide clarity that wetland identification and protection is the responsibility of regional councils. Therefore, I consider that it is more appropriate that the chapter as a whole be amended to remove provisions relating to the control of land use within wetlands, being INF-R5, INF-R9, INF-R30 and INF-R39.
499. To provide scope for these recommended amendments, I rely on the submissions from GWRC [137.69] and Forest and Bird [225.21] seeking that the PDP align with the NES-FW 2020.

3.8.2.3 Summary of recommendations

500. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** INF-R5, INF-R9, INF-R30 and INF-R39 as set out in Appendix A;
501. I recommend that the submissions from Waka Kotahi [82.61] be **rejected**.
502. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.3 Effects on indigenous biological diversity as a matter of discretion

3.8.3.1 Matters raised by submitters

503. I note for completeness that Forest and Bird [225.128, 225.129, 225.130, 225.131, 225.132, 225.133, 225.134, 225.135, 225.136, 225.137, 225.138, 225.140, 225.142 and 225.144] seeks that INF-R3, INF-R4, INF-R5, INF-R7, INF-R8, INF-R9, INF-R24, INF-R29, INF-R30, INF-R31, INF-R40, INF-S17 and INF-S20 be amended to include effects on indigenous biological diversity, with reasons generally referring to the failure of the relevant provision to consider effects on indigenous biodiversity.

3.8.3.2 Assessment

504. The Officer's Report: Part B – Natural Environment Strategic Objectives, prepared by Gina Sweetman, recommends amendments to Strategic Objective NE-O1 and inclusion of a new objective to address broader indigenous biodiversity. Section 3.2 of that report also states that:

I have carefully considered whether additional objectives, policies and rules are required in the District-wide and Area Specific Matter Parts of the PDP to give effect to the recommended new objective NE-O2. The extent to which indigenous vegetation needs to be protected outside of SNAs is addressed in section 5.3 of the Section 32 evaluation report on Ecosystems and Indigenous Biodiversity.

The Ecosystems and Indigenous Biodiversity chapter is not the only chapter that seeks to manage the effects of activities on indigenous vegetation. This is also addressed through other chapters including Natural Features and Landscapes, Coastal Environment, and through provisions in the Subdivision Chapter and various zones (usually as policies which form matters of discretion).

505. The report goes on to list some examples of provisions within the Plan that seek to maintain or enhance indigenous biodiversity, and concludes that these provisions collectively form an appropriate response to Council's responsibility for the maintenance of indigenous biodiversity under s31(1)(iii) of the RMA.

506. As noted in that report, section 5.3 of the Section 32 evaluation report on Ecosystems and Indigenous Biodiversity sets out a detailed explanation of the extent to which indigenous vegetation needs to be protected outside of SNAs (identified as 'Issue 4').

507. In relation to the recommendation on inclusion of a new Strategic Objective 'NE-O2 Maintaining and restoring indigenous biodiversity values', I note that as a Strategic Objective, this will be able to be considered in relation to any proposals for infrastructure that require resource consent.

508. Therefore, I note that I agree with the recommendations set out in Officer's Report: Part B – Natural Environment Strategic Objectives on the submissions from Forest and Bird [225.128, 225.129, 225.130, 225.131, 225.132, 225.133, 225.134, 225.135, 225.136, 225.137, 225.138, 225.140, 225.142 and 225.144] relating to effects on indigenous biological diversity as matter of discretion. The other matters raised through these submissions are addressed in the relevant sections of this report.

509. However, I note that there is a specific issue in relation to the management of indigenous biodiversity values within Outstanding Natural Features and Landscape, Special Amenity

Landscapes and the Coastal High Natural Character Areas. This is addressed in relation to INF-S17 in section 3.8.6.1 below

3.8.3.3 Summary of recommendations

510. The recommendations on these matters are addressed in the Officer's Report: Part B – Natural Environment.

3.8.4 Policies

3.8.4.1 INF-P20

3.8.4.1.1 Matters raised by submitters

511. Forest and Bird [225.122] seeks that the policy be amended as below:

Upgrades to and new Regionally Significant Infrastructure in Significant Natural Areas

Except as provided for by INF-P6 and INF-P7, only consider allowing for upgrades to existing infrastructure and ~~for avoid~~ new Regionally Significant Infrastructure in areas identified in SCHED7 - Significant Natural Areas ~~where unless~~ it can be demonstrated that:

1. There is ~~an operational need or~~ functional need that means the infrastructure's location cannot be avoided; and

2. Any adverse effects on indigenous biodiversity values within areas ~~identified in SCHED7~~ Significant Natural Areas are avoided, remedied or mitigated consistent with the ECO chapter provisions ~~addressed in accordance with ECO-P2 and the matters in ECO-P4, ECO-P11 and ECO-P12.~~

512. The reasons given are that upgrades to or new infrastructure could be allowed even where objectives of the ECO chapter are not achieved, and it is inappropriate to limit consideration solely to the policies set out as effects could extend to other matters addressed in the ECO chapter. An operational need is not an appropriate basis to consider locating new RSI in a SCHED7 SNA.

513. Transpower [60.43] seeks retention of INF-P21 if INF-P6 and INF-P7 are amended as sought, or amendments to give effect to the NPS-ET if a new policy is not provided.

3.8.4.1.2 Assessment

514. In relation to the submission from Transpower [60.43], the amendments sought to INF-P6 and INF-P7 are addressed in section 3.6.5 above. INF-P6 and INF-P7 relate to the upgrade and development of the National Grid respectively and address adverse effects within SNAs. The recommendation in that section is that the policies are not amended to be one combined policy as sought by the submitter. INF-P20 includes the phrase '[e]xcept as provided for by INF-P6 and INF-P7', and as such, I do not consider that any amendments are required to give effect to the NPS-ET in this policy.

515. I do not agree with the amendments sought by Forest and Bird [225.122] for the following reasons:

- Amendments to 'avoid' new infrastructure within SNAs would place an unnecessary restriction on the development of infrastructure within Porirua, particularly considering the interpretation of this word in recent case law as to 'not allow'. The Plan maps identify

approximately of 3,282 hectares in Porirua, being approximately 19 percent of the land area of the City, as SNAs. As set out in the Section 32 Evaluation report Part 2 – Infrastructure, significant renewal, upgrading and development of critical infrastructure is required within Porirua. 'Avoiding' infrastructure within SNAs may therefore significantly adversely affect the health, safety and wellbeing of the people and communities within Porirua. Additionally, depending on the type of infrastructure, and its location, the development of infrastructure may have minimal impact on terrestrial biodiversity;

- Operational needs are a critically important consideration for any resource consent process relating to the development of infrastructure, particularly in relation to location within any overlay. The inclusion with the policy links it to the considerations for operational needs and functional needs of infrastructure set out in INF-P9. The inclusion of the reference to operational needs does not mean that where there is an operational need, any resource consent would be granted. The clause needs to be read within the policy as a whole. That is, any adverse effects on indigenous biodiversity values within an SNA would need to be managed in accordance with the relevant policies in the ECO chapter, which are cross-referenced. As such, reference to operational needs should not be removed from the policy;
- Policy 23 of the RPS requires district plans to identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values. A city-wide project to identify SNAs has been undertaken. As set out in section 3.8.3 above, the report Officer's Report: Part B – Natural Environment Strategic Objectives outlines that consideration has been put into whether any additional provisions are required to protect indigenous biodiversity outside of SNAs, with the conclusion being that this is not required. As such, I consider that there is no need to make amendments to INF-P20 to protect potential SNAs outside of these areas; and
- I consider that the policy cross-references to all the relevant policies in the ECO chapter, so there is no need to refer generically to the ECO chapter policies.

516. The amendments sought to refer only to regionally significant infrastructure are addressed in section 3.3 above.

3.8.4.1.3 Summary of recommendations

517. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.122] and Transpower [60.43] be **rejected**.

518. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.4.2 INF-P21, INF-P22, and INF-P23

3.8.4.2.1 Matters raised by submitters

519. Forest and Bird [225.123, 225.124 and 225.125] seeks that the following clauses be added to INF-P21 and INF-P22:

1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and

1B. indigenous biological diversity is maintained; and

520. Additionally, the submitter seeks [225.125] that a clause in INF-P23 be added that reads 'includes provision for indigenous biodiversity adaption and response including inland migration in response to sea level rise'.
521. The reasons given are that INF-P21 and INF-P22 fail to consider the impacts on indigenous biological diversity or whether values meet the significance criteria in Policy 23 of the RPS. In relation to INF-P23, the submitter states that upgrades to and new regionally significant infrastructure should make provision for indigenous biodiversity to adapt and respond to natural hazards, particularly where this is a result of climate change.

3.8.4.2.2 *Assessment*

522. INF-P21 and INF-P22 relate to upgrades to and new infrastructure in Special Amenity Landscapes, and Outstanding Natural Features and Landscapes and Coastal High Natural Character Areas. I note that, in some cases, these overlays overlap to a significant extent.
523. As noted above, a city-wide project to identify SNAs was undertaken in preparation for the PDP. As set out in section 3.8.3, the report Officer's Report: Part B – Natural Environment Strategic Objectives outlines that consideration has been put into whether any additional provisions are required to protect indigenous biodiversity outside of SNAs, with the conclusion being that this is not required.
524. I agree with that conclusion and add in relation to this specific request that the provisions within the chapter must be read as a whole. INF-P20 addresses infrastructure within SNAs. Where a SNA area identified in Schedule 7 is located within a Special Amenity Landscapes, and Outstanding Natural Features and Landscapes and Coastal High Natural Character Areas, all relevant policies will apply. As such, I consider that there is no need to make amendments to INF-P21 or INF-P22 to protect potential SNAs within these areas.
525. Similarly, I do not consider that the additional clause requested to be included in INF-P23 is necessary, or appropriate. The policy addresses the adverse effects on infrastructure from natural hazards, and the potential for infrastructure to increase risk from natural hazards. Therefore, it is inappropriate for INF-P23 to address indigenous biodiversity adaption and response. INF-P20 includes cross-reference to ECO-P12 which addresses SNAs within the coastal environment. As such, the existing policy in the chapter sufficiently addresses the matter sought to be included in INF-P23.

3.8.4.2.3 *Summary of recommendations*

526. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.123, 225.124 and 225.125] be **rejected**.
527. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.5 *Rules*

3.8.5.1 *General submissions*

3.8.5.1.1 *Matters raised by submitters*

528. QEII [216.6] and Forest and Bird [225.62] seek that the permitted rules for maintenance activities be amended so that, in situations where there are potential adverse effects on indigenous biodiversity, they only apply to lawfully established existing infrastructure, buildings

and structures and protect and maintain indigenous biodiversity, and that consent processes be required for other existing infrastructure, buildings, and structures that may not be lawfully established.

529. Forest and Bird also seeks [225.133, 225.137 and 225.139] that the consideration of effects is not limited by deleting the note in the chapter introduction to that effect.

3.8.5.1.2 Assessment

530. As discussed in relation to the specific rules below in section 3.17 in addressing other submissions from Forest and Bird (e.g. 225.128), I consider that it is not necessary to distinguish between lawfully established infrastructure in the Plan, as this is a compliance issue.

531. In relation to the submissions from Forest and Bird [225.133, 225.137 and 225.139] to delete the note in the introduction relating to the provisions that apply to infrastructure, this is addressed in part in sections 3.2 and 3.4 above in relation to the scope of the chapter and its relationship with overlays. As discussed in those sections, the INF – Infrastructure Chapter is intended to be 'standalone', as required under the National Planning Standards. As such, I do not consider that it is appropriate to delete to note as requested.

3.8.5.1.3 Summary of recommendations

532. I recommend for the reasons given in the assessment, that the submissions from QEII [216.6] and Forest and Bird [225.62, 225.133, 225.137 and 225.139] be **rejected**.

3.8.5.2 INF-R9

3.8.5.2.1 Matters raised by submitters

533. Forest and Bird [225.133] seeks that the rule be clarified so that permitted and restricted activity status clauses do not apply to the upgrading, extension or creation of new tracks within an SNA overlay. The submitter seeks that this is achieved by:

- Deleting clauses INF-R9-1 c. iii and INF-R9-1 d. iii;
- Adding a condition to INF-R9.1 that the activities are not within an SNA; or
- Separating maintenance of existing lawfully constructed tracks from the upgrading, extension or creation of new tracks;
- Inclusion of a condition in INF-R9-1 for a setback of 15 metres from SNAs, and that where upgrading, extension or creation of new tracks do not meet the SNA setback the INF-R9-7 discretionary status applies; and
- Retention of the discretionary status in INF-R9-7 for activities within an SCHED7 SNAs and that this rule also applies to the upgrading, extension or creation of new tracks within the SNA setback and where the limits/standards for maintenance of existing tracks is not met; and

534. I note that the consideration of setbacks from wetlands, and effects on indigenous biological diversity as a matter of discretion, also raised by the submitter, are considered in sections 3.8.2 and 3.8.3 above, respectively.

535. QEII [216.48] seeks that activity status for formation of tracks and walkways in SNAs to be discretionary as this activity can cause significant adverse effects.

536. GWRC [137.74] seeks a controlled activity status for new tracks within SNAs, as it considers that the potential effects of new track construction requires greater oversight than permitted activity status provides.
537. The report 'Officer's Report: Part B - Ecosystems and Indigenous Biodiversity' also states that the substantive issues raised in the following submissions on the ECO - Ecosystems and Indigenous Biodiversity chapter are also to be addressed in this report:
- Waka Kotahi [82.118 and 82.120], which seek that the rule allows for any statutory agency or their approved contractor to undertake work as there is no effects-based reason to limit it to the agencies listed in the rule;
 - DOC [126.18], which seeks that the permitted activity rule be limited to maintenance activities, as new and upgrades to tracks is not appropriate as a significantly wider construction corridor would be required;
 - GWRC [137.52], which seeks a controlled activity status for new tracks within SNAs where they are consistent with a tracks network plan; and
 - Forest and Bird [225.167], which seeks that the maintenance of tracks be permitted where vegetation removal is limited to one metre from the track, and new tracks are restricted discretionary activities.
538. I note that the recommendations on these submission points are contained in the report 'Officer's Report: Part B - Ecosystems and Indigenous Biodiversity'.

3.8.5.2.2 Assessment

539. I agree with Forest and Bird [225.133] that the maintenance of walkways, cycleways and shared paths should be separated from new, extensions to, and upgrading of that infrastructure. This is the intention of the rule framework, as maintenance is already appropriately addressed by INF-R5. I consider that this can be achieved by amending the rule heading to refer specifically to new, extensions to, and upgrading of walkways, cycleways and shared paths.
540. I also agree with Forest and Bird [225.133] that new, and extensions to, walkways cycleways and shared paths within SNAs should not be permitted activities. These activities may have adverse effects on the indigenous biodiversity values of a SNA that would not be acceptable. Requiring a consent process for construction of new walkways, cycleway and shared paths within SNAs is also consistent with the evidence of Nicholas Goldwater of Wildlands Consultants Ltd (paragraph 30). However, I disagree with Forest and Bird [225.133] and QEII [216.48] that the appropriate activity status is discretionary. I agree with GWRC [137.74] that the appropriate activity status is controlled, where the relevant standards are met including INF-S18 and INF-S20 which limit the removal of more than 20 square metres of indigenous vegetation within any 12 month period. Where these are not met, the activity would be considered as a restricted discretionary activity. I consider that this appropriately allows for some walkways, cycleways and shared paths within SNAs to be constructed while limiting any potential adverse effects on indigenous biodiversity. I consider that this also addresses the issues raised by DOC [126.18], GWRC [137.52], and Forest and Bird [225.167].
541. In relation to the issue raised by Forest and Bird [225.133] for setbacks from SNAs, I consider that this is not appropriate for the same reasons expressed by Ms Sweetman in 'Officer's Report: Part B – Natural Environment Strategic Objectives', as detailed in section 3.8.3 above. I also note that no section 32AA analysis has been undertaken by the submitter. I consider that

there would be nil adverse effects from a walkway, cycleway or shared paths being located near an SNA. Given that SNAs cover a significant proportion of the City, I consider that imposing an additional setback of 15 metres from any SNA would result in significant additional costs, with no identifiable environmental benefits.

542. In relation to the submissions from Waka Kotahi [82.118 and 82.120], I note that INF-R9 relates specifically to walkways, cycleways and shared paths that are located on public land other than a road, and that DOC are also included in the rule. I consider that limiting the rule to specified agencies provides greater certainty for the implementation of the rule. These statutory agencies regularly undertake works for walkways, cycleways and shared paths on public land. I also note that, where walkways, cycleways and shared paths are located within the road corridor where it is not designated, the road design standards would apply, while for roads that are designated the Plan provisions are not relevant.

3.8.5.2.3 *Summary of recommendations*

543. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R9 as set out in Appendix A;

Note: The recommended amendments are not included here due to length.

544. I recommend that the submission from GWRC [137.74] be **accepted**;
545. I recommend that the submission from Forest and Bird [225.133] and QEII [216.48] be **accepted in part**.

3.8.5.3 *INF-R27, INF-R28 and INF-R29*

3.8.5.3.1 *Matters raised by submitters*

546. Forest and Bird [225.134, 225.135 and 225.136] seeks that INF-R27, INF-R28 and INF-R29 be amended to include limits to vegetation removal to a no more than minor adverse effect, for the reason that the rules fail to consider adverse effects on indigenous biodiversity.
547. I note that the amendments sought to the rules to include effects on indigenous biological diversity as a matter of discretion are addressed in section 3.8.3 above.

3.8.5.3.2 *Assessment*

548. INF-R27, INF-R28 and INF-R29 address upgrading of roads outside of overlays, within a Natural Hazard Overlay or Coastal Hazard Overlay, and within an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas, respectively.
549. Upgrading of roads within an area identified in SCHED7 - Significant Natural Areas is addressed by INF-R30. As addressed in section 3.8.3 above, the need to address indigenous biodiversity values outside of SNAs has been considered by Ms Sweetman in 'Officer's Report: Part B – Natural Environment Strategic Objectives'. Consistent with the conclusion in that report, I consider that it is not necessary to include limits to vegetation removal, other than within SNAs and within the overlays addressed by INF-S17, which is addressed in relation to the management of indigenous biodiversity in section 3.8.6.1 below.

3.8.5.3.3 *Summary of recommendations*

550. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.134, 225.135 and 225.136] be **rejected**.

551. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.5.4 INF-R30

552. Forest and Bird [225.137] seeks that a limit to the scale of an upgrade is added and INF-R30-2 be amended to a non-complying activity status, for the reason that upgrading could have significant adverse effects on indigenous biodiversity values and the scale and extent of potential effects from upgrading is uncertain.

553. I note that the amendments sought to the rules to include effects on indigenous biological diversity as a matter of discretion are addressed in section 3.8.3 above, and setbacks from wetlands are considered in section 3.8.2.

3.8.5.4.1 Assessment

554. I consider that appropriate limits are set out in INF-S18 and INF-S20 for removal of indigenous vegetation within SNAs, and therefore there is sufficient certainty around the scale and extent of the upgrading activities, in relation to the effects on indigenous biodiversity.

555. Additionally, for the same reasons as discussed below in section 3.8.5.6 in relation to INF-R43, I consider that a discretionary activity status is appropriate for upgrading activities which do not comply with the relevant standards.

3.8.5.4.2 Summary of recommendations

556. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.137] be **rejected**.

557. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.5.5 INF-R39

3.8.5.5.1 Matters raised by submitters

558. Forest and Bird [225.139] seeks that INF-R39-1 be amended to be a discretionary activity status, for the reason that upgrading could have significant adverse effects on indigenous biodiversity values and the scale and extent of potential effects from upgrading is uncertain.

559. Powerco [83.62] seeks that the rule be amended so that upgrades that have no or very little potential impact on SNAs are permitted, for the reason that certain upgrades could occur without having impacts on SNAs.

3.8.5.5.2 Assessment

560. I disagree with both Forest and Bird [225.139] and Powerco [83.62]. I consider that the requirement to comply with the relevant standards, including INF-S1, provides a sufficient level of certainty for the scale and extent of potential upgrades that would fall under the restricted discretionary activity rule. Additionally, the needs to comply with INF-S18 and INF-S20 limits the removal of indigenous vegetation to 20 square metres within any 12 month period, which appropriately limits the potential adverse effects on indigenous biodiversity values from upgrading activities.

561. I also consider that a resource consent process through a restricted discretionary activity status is appropriate for upgrades to infrastructure located within SNAs, as this gives effect to Policy 24 of the RPS by ensuring that potential effects of the upgraded infrastructure on indigenous biodiversity are carefully considered.

3.8.5.5.3 Summary of recommendations

562. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.139] and Powerco [83.62] be **rejected**.

563. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.5.6 INF-R43

3.8.5.6.1 Matters raised by submitters

564. Transpower [60.59] seeks to amend the rule heading to clarify that the rule applies to new infrastructure. No specific reasons are given.

565. Forest and Bird [225.141] seeks that the rule be clarified to apply to all 'new' regionally significant infrastructure and other infrastructure within the SNA overlay, and the activity status be changed to non-complying. The reasons given are that the rule is not clear as to whether it is limited to new infrastructure or would apply to any maintenance or upgrading not already specified in other rules, or whether it is intended to capture regionally significant infrastructure and or other infrastructure. The submitter states that new infrastructure should not generally be anticipated within an SNA; where it is, specific rules for the activity can and have been set out; and that this rule should apply a higher test for considering new activities within an SNA.

3.8.5.6.2 Assessment

566. I agree that including the word 'new' at the start of the rule heading clarifies that the rule only applies to new infrastructure. There are other specific rules that manage maintenance and repair (INF-R5) and upgrading (INF-R39) of existing infrastructure within SNAs.

567. In relation to the submission from Forest and Bird [225.141], as discussed above I agree that the rule should be clarified to refer to 'new' infrastructure. I do not consider that the rule needs to specify both regionally significant infrastructure and other infrastructure, as the word 'infrastructure' is hyperlinked in the ePlan to the definition which is broad in its application.

568. However, I disagree that the rule should have a non-complying activity status. I note that Policy 24 of the RPS states that:

District and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development.

569. The explanation to this policy states that:

Policy 24 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 23.


570. The RPS therefore does not direct that an SNA must be protected at all cost, but must be protected from inappropriate subdivision, use and development, and any changes carefully considered. I consider that a discretionary activity status allows for careful consideration of

changes from the use and development of infrastructure, particularly as the rule includes a section 88 requirement for an appropriate ecological assessment.

571. Additionally, the chapter must also give effect to Policy 7 of the RPS, which includes the recognition of the benefits of regionally significant infrastructure. I consider that a non-complying activity status for INF-R43 would potentially compromise the ability to develop new infrastructure that is necessary for the health, safety and wellbeing of the people and communities of Porirua, and therefore would not give effect to the purpose of the RMA.

3.8.5.6.3 Summary of recommendations

572. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** rule INF-R43 as set out below and in Appendix A.

| | |
|---|---|
| INF-R43  | New infrastructure, including any ancillary access tracks, excluding walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas |
|---|---|

573. I recommend that the submission from Transpower [60.59] be **accepted**.
574. I recommend that the submission from Forest and Bird [225.141] be **accepted in part**.

3.8.6 Standards

3.8.6.1 INF-S17

3.8.6.1.1 Matters raised by submitters

575. Forest and Bird [225.142] seeks that the maximum disturbance areas be reconsidered to take into account adverse effects on indigenous biodiversity, and 50 square metres in SCHED10 areas be considered, for the reasons that; the standard fails to consider adverse effects on indigenous biodiversity; the time frame is uncertain as a trigger for consenting; the exception is inappropriate as effects do not change on the basis of who undertakes the activity and the activities set out the link to any specific function of the Councils or Department.
576. I note that the request for an additional matter of discretion relating to indigenous biodiversity is considered in section 3.8.3 above.

3.8.6.1.2 Assessment

577. I disagree with the submission from Forest and Bird [225.142]. The earthworks area limits align with those set out in the relevant overlay chapters, other than a reduced area for SCHED10 areas within the General Rural Zone.
578. I agree that additional consideration of indigenous biodiversity values is required within the standard. As discussed in section 3.8.3 above in relation to matters of discretion relating to indigenous biodiversity, the existing provisions adequately protect indigenous biodiversity within the City. While these values are generally protected through the SNA provisions, Ms Sweetman identifies that there are other provisions within other chapters that also manage effects on indigenous biodiversity, including within NFL – Natural Features and Landscapes, and CE – Coastal Environment.

579. The NFL – Natural Features and Landscapes, and CE – Coastal Environment chapters include limitations on the removal of indigenous vegetation, and general vegetation, in NFL-S2 and CE-R2-1.a respectively. The INF – Infrastructure Chapter as notified does not include any standards that reflect these provisions. I therefore consider that INF-S17 should be amended to include these limitations. I consider that this will improve the consistency of the INF – Infrastructure Chapter with the rest of the plan, and therefore improve overall integration and reduce interpretation and implementation issues. Consequently, I consider that the amendment will be more effective and efficient than the notified provisions.
580. In relation to the time period for earthworks, this is used throughout the Plan, and is required in order to address cumulative effects from earthworks activities. Without this timeframe, a series of earthworks activities could be undertaken, undermining the intent of the standard.
581. Additionally, I consider that the exception is appropriate, with the modifications sought by Porirua City Council [11.10], as these agencies regularly undertake such work within land owned or administered by those organisations. Additionally, contrary to the submitter's assertion that the activities set out link to any specific function of the Councils or Department, I note that DOC has the following function under section 6(e) of the Conservation Act 1987:

to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:

582. I also consider that the provision of recreational facilities directly relates to the purpose of local government under section 10 of the Local Government Act 2002, 'to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future'.

3.8.6.1.3 Summary of recommendations

583. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.142] be **rejected**.

3.8.6.2 INF-S18

3.8.6.2.1 Matters raised by submitters

584. Transpower [60.50 and 60.63] seeks that the standard be amended to exclude works associated with the operation, maintenance and upgrading of the National Grid or to remove a potential fire risk associated with the National Grid, for the reason that it is important there is ability to trim, maintain or remove vegetation that could affect the safe operation, maintenance or upgrade of its lines.
585. Firstgas [84.18] seeks that the standard be amended to allow for removal of vegetation within six metres from the centreline of the Gas Transmission Pipeline, with any areas replanted in indigenous vegetation where not required for safety reasons, to align with the submitter's easement to ensure the safety and access to the pipeline.
586. Waka Kotahi [82.79] seeks that clause INF-S18-1.c be amended to clarify the intent.
587. Forest and Bird [225.143] seeks that the provision for vegetation removal associated with new infrastructure within the standard is removed for the reason that this should be a consented

activity within an SNA, and that the limit for removal of vegetation for fences be 1.5 metres on a single side, and one metre either side of tracks.

3.8.6.2.2 Assessment

588. In relation to the submissions from Transpower [60.50 and 60.63], the NES-ETA provides for trimming, felling, or removing any tree or vegetation, in relation to an existing transmission line where it is within a 'natural area' and is done to reduce the risk to a transmission line, as a controlled activity under Regulation 31. The matters over which control are reserved are (a) replanting; (b) disposal of trees and vegetation; and (c) visual, landscape, and ecological effects.
589. The exemption sought would make any activities associated with the National Grid permitted under INF-R5-1. I consider that this may result in unacceptable adverse effects. For that reason, I consider that an exemption which references works controlled by regulation 31 of the NES-ETA is more appropriate, as this will ensure that a resource consent process is required while not duplicating the process under the NES-ETA through the Plan provisions.
590. In relation to the submission from Waka Kotahi [82.79], clause INF-S18-1.c would be appropriately clarified through accepting the amendments sought by Porirua City Council [11.11] (see Appendix A).
591. In relation to the submission from Firstgas [84.18], the designation for the gas transmission pipeline extends six metres either side of the pipeline. Under section 176 of the RMA, a designation means the section 9(3) does not apply. This would include the requirements of INF-S18. As such, I consider that the amendment sought is unnecessary.
592. I disagree with the submission from Forest and Bird [225.143], as new infrastructure within an SNA, other than that specified in INF-R43, is a discretionary activity and therefore INF-S18 is not relevant. While the submitter seeks that the distance from the infrastructure is reduced, I consider that this would have a negligible reduction in adverse effects as the standard also includes a limit on the total area where trimming, pruning or removal of indigenous vegetation can be undertaken, other than for tracks. However, the provision for walkways, cycleways and shared paths requires that they are located on public land other than a road and undertaken by Porirua City Council, GWRC, DOC or a nominated contractor or agent. Additionally, the submitted has not provided any evidence that the standard would result in unacceptable adverse effects nor provided a section 32AA assessment of the proposed revised limits.

3.8.6.2.3 Summary of recommendations

593. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** rule INF-S18 as set out below and in Appendix A.

| | | |
|------------------|---|--|
| INF-S18 | Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas | |
| All zones | <p>[...] This standard does not apply to:</p> <ul style="list-style-type: none"> Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Local, regional and national benefits of the infrastructure; Design and siting of the infrastructure; |

| | | |
|--|---|--|
| | <ul style="list-style-type: none"> • Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001. • <u>Indigenous vegetation to be trimmed, pruned or removed where the works are controlled by regulation 31 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</u>⁸ | <ol style="list-style-type: none"> 3. Any operational or functional needs of the infrastructure.; 4. Any topographical and other site constraints make compliance with the standard impractical; 5. The matters in ECO-P2; and 6. The matters in ECO-P4. |
|--|---|--|

594. I recommend that the submission from Waka Kotahi [82.79] be **accepted**.

595. I recommend that the submission from Transpower [60.50] be **accepted in part**.

596. I recommend that the submissions from Firstgas [84.18] and Forest and Bird [225.143] be **rejected**.

597. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8.6.3 INF-S20

3.8.6.3.1 Matters raised by submitters

598. Transpower [60.50 and 60.64] seeks that the standard be amended to exclude works associated with the operation, maintenance and upgrading of the National Grid and associated access tracks, for the reason that the NES-ETA prevails and the standards would be of limited relevance.

599. Forest and Bird [225.144] opposes the standard and seeks that the exclusions are reworded so that they are set out as an applicable standard and the phrase 'within any 12 month period' be deleted. The reasons stated are that the exclusions in the standard are uncertain and are in effect standards as they set out a limit which must be met and can be worded as such, and the 12 month time frame is uncertain as a trigger for consenting, and compliance could not be ascertained without knowing the timeframe of the earthworks.

600. Forest and Bird also states that in its reasons that; the limitation of matters of discretion prevents the consideration of objectives and would prevent the consideration of any future NPS on indigenous biodiversity; 20 square metres of vegetation within an SNA could have significant

⁸ Transpower [60.50]

adverse effects and this must be limited to within two metres of existing infrastructure and only where necessary for maintenance of existing lawfully established infrastructure.

601. I note that the request from Forest and Bird for an additional matter of discretion relating to indigenous biodiversity is considered in section 3.8.3 above.

3.8.6.3.2 Assessment

602. In relation to the submission from Forest and Bird [225.144], the exclusions worded as part of the standard itself would reduce the clarity of the standard as they are specific to certain infrastructure. Additionally, as discussed above, not including a timeframe within the standard could result in significant adverse effects as the 20 square metre limit could be applied every time earthworks are undertaken. For these reasons, I do not consider that amendments as sought by the submitter would be appropriate.

603. In relation to the submission from Transpower [60.50 and 60.64], access tracks are provided for under the first exclusion point. As noted by the submitter in its reasons, the NES-ETA would prevail where the activities are regulated by those regulations, and the earthworks standards would be of limited relevance. As such, there is no evidence provided showing a need for any additional exclusion specific to the National Grid.

3.8.6.3.3 Summary of recommendations

604. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.144] and Transpower [60.50 and 60.64] be **rejected**.

3.9 Gas transmission pipeline

3.9.1 Gas Transmission Pipeline Corridor width

3.9.1.1 Matters raised by submitters

605. Hamish Tunley [52.7, 52.8, 52.9 and 52.11], submitting against INF-P5, INF-O3 and GRZ-R23, seeks that the distance of the Gas Transmission Pipeline Corridor Designation should be reduced from the proposed 20 metres in width to be consistent with the First Gas Designation of 12 metres in width, for the reason that this has resulted in a loss of four metres of land and that PCC and First Gas should have taken the adverse effects of subdivision, use and development into account when the designation was put in place; the Council is now trying to impose a wider corridor (and in addition a further 10m setback) without any quid pro quo to affected parties.
606. Bill McGavin [42.3], submitting on SUB-R16, seeks that 'it should remain as it is', for the reason that the submitter does not want the gas transmission pipeline corridor width to increase.
607. Michael Wood [25.1], submitting on GRZ-R23, seeks that the distance should be the same as half the easement width, unless the size of the gas pipeline is large enough to warrant a larger distance on safety grounds, in which case First Gas should widen its easement through the normal commercial processes. The reasons stated include that it is unreasonable to specify a distance of 10 metres from the pipeline corridor unless there are specific reasons to do so at particular locations, and that the distance should relate to the diameter of the pipeline.
608. Catriona O'Meara-Hunt [34.1] seeks that the extension of the current allocated provision of six metres either side of the Gas Transmission Pipeline Corridor to the proposed 10 metres either

side not be approved, for the reasons including that current provision of six metres either side of the pipeline is adequate to protect Firstgas pipeline assets in an already established residential zone and the new corridor erodes the ability to fully utilise the submitter's property.

3.9.1.2 Assessment

609. The outcome sought by all of the submitters noted above is that the Gas Transmission Pipeline Corridor be aligned with the easements and designation covering the transmission pipeline, being six metres either side of the pipeline.

610. The RPS requires in Policy 8 that the Plan include policies and rules that protect regionally significant infrastructure, which includes transmission pipelines for gas, from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure. The explanation of the policy states that:

Incompatible subdivisions, land uses or activities are those which adversely affect the efficient operation of infrastructure, its ability to give full effect to any consent or other authorisation, restrict its ability to be maintained, or restrict the ability to upgrade where the effects of the upgrade are the same or similar in character, intensity, and scale. It may also include new land uses that are sensitive to activities associated with infrastructure.

611. To give effect to Policy 8, the Plan establishes a stepped approach to activities within proximity of the pipelines. The proposed designation (FGL-01), which generally aligns with the existing easements, protects the pipeline through the requirements of section 176(1)(b) of the RMA. The Gas Transmission Pipeline Corridor, at 10 metres either side of the pipeline, is associated with rules for subdivision, earthworks and sensitive activities (as defined in the Plan) being located within the corridor. Additional rules also control habitable buildings and structures within 10 metres of the corridor itself. In this way, the Plan framework is more restrictive for subdivision, use and development the closer it is to the pipeline.

612. The Section 32 Evaluation Report Part 2: Infrastructure identifies that approximately 151 properties would be affected by the Gas Transmission Pipeline Corridor. This includes a number of properties within the new Rural Lifestyle Zone which enables smaller rural subdivision and the FUZ; additionally, a number of these properties are residential in nature. I consider that the historic development that has occurred in close proximity of the pipeline provides additional evidence of the need for a clear and effective resource management framework in the Plan to manage development adjacent to the pipeline. This includes dwellings apparently built (based on the Plan maps) directly adjacent to the proposed designation (and therefore the existing easements). Such development may compromise the efficient operation of the gas transmission pipeline.

613. While the easements (and proposed designation) ensure that the pipeline is not built over, the additional extent of the Gas Transmission Pipeline Corridor provides additional assurance that physical access and other operational requirements will also be taken into consideration for future development to ensure its ongoing efficient and effective operation. Reverse sensitivity effects of any development will also be able to be considered, consistent with the intention of RPS Policy 8.

614. I therefore consider that the additional four metre buffer provided by the Gas Transmission Pipeline Corridor over the proposed designation and existing easements is justified given the regionally significant nature of the pipeline, risks to the pipeline of activities being undertaken

within that area, and the risk of reverse sensitivity from land use and development within proximity of the pipeline.

3.9.1.3 *Summary of recommendations*

615. I recommend for the reasons in the assessment that the submissions from Hamish Tunley [52.7, 52.8, 52.9 and 52.11], Bill McGavin [42.3], Michael Wood [25.1] and Catriona O'Meara-Hunt [34.1] be **rejected**.

3.9.2 **INF-P25**

3.9.2.1 *Matters raised by submitters*

616. Hamish Tunley [52.8] states that the criteria of INF-P25 lack specifics and the wording is not well defined, and seeks the following:

- INF-P25-2: More detail is needed about what is considered a restriction;
- INF-P25-3: Clarify what or whose property damage (First Gas or Landowner). Clarify, health or public safety (the residents or first gas employees, First Gas assets or homeowners property damage); and
- INF-P25-5: Be more specific.

617. Porirua City Council [11.7] seeks that the policy be amended to include reference to habitable buildings near the corridor, for the reason that as written, the policy only relates to activities within the Corridor, but needs to also relate to habitable buildings near the Corridor to integrate with relevant rules. This is supported by Firstgas Ltd [FS63.23], and opposed by Kāinga Ora [FS65.135] to the extent it is inconsistent with its primary submission.

618. Kāinga Ora [81.271] opposes the policy and seeks that it be deleted, for the reason that the provision appears redundant as the Gas Transmission Pipeline Corridor is designated, and relevant chapters have provisions relating to the Gas Transmission Pipeline Corridor to manage reverse sensitivity effects.

3.9.2.2 *Assessment*

619. I consider that the wording in INF-P25 is sufficiently clear for resource consent processes when the policy will be used as matters of discretion, and that the further clarification sought by the submitter is not necessary.

620. I agree with the submission from Porirua City Council [11.7]. The zone rules relating to sensitive activities within 10 metres of the Corridor refer to INF-P25 for the matters of discretion; however, the policy itself refers only to buildings, structures and activities proposed within the Gas Transmission Pipeline Corridor. The amendment sought will clarify the applicability of the policy to sensitive activities within proximity of the pipeline. Consequently, I agree with the further submission of Firstgas Ltd [FS63.23] and disagree with Kāinga Ora [FS65.135]

621. I do not agree with the submission from Kāinga Ora [81.271]. As identified above, INF-P25 serves as the matters of discretion for the rules relating to the Gas Transmission Pipeline Corridor contained in the zone chapters. Therefore, deleting the policy would result in a gap in the framework of the Plan. The submitter does not suggest any additional matters of discretion to fill this gap.

3.9.2.3 Summary of recommendations

622. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P25 as set out below and in Appendix A.

| INF-P265 | The Gas Transmission Pipeline Corridor |
|---|---|
| Consider the following matters when assessing any buildings, structures and activities proposed within, <u>and habitable buildings near,</u> the Gas Transmission Pipeline Corridor: [...] | |

623. I recommend that the submission from Porirua City Council [11.7] be **accepted**.

624. I recommend that the submission from Hamish Tunley [52.8] and Kāinga Ora [81.271] be **rejected**.

625. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.3 INF – Infrastructure chapter rules

3.9.3.1 Matters raised by submitters

626. Firstgas Limited [84.37 and 84.41] seeks that the Gas Transmission Network is enabled to be safely, effectively and efficiently operated, maintained, replaced, upgraded, removed and developed through an enabling activity status, and that new underground pipelines in excess of 2,000 kilopascals be enabled as a permitted activity subject to meeting standards. No specific reasons are given.

3.9.3.2 Assessment

627. While I agree with the submitter that the gas transmission network should be enabled to be operated, maintained, replaced, upgraded, removed and developed safely, effectively and efficiently, I do not consider that a permitted activity status for underground pipelines in excess of 2,000 kilopascals is appropriate.

628. Underground pipelines in excess of 2,000 kilopascals are defined as part of the gas transmission network. Upgrading and development of the gas transmission network is given a restricted discretionary activity status as a minimum in the relevant rules. This reflects rules 6.1.7 and 6.1.29 in chapter NU Network Utilities of the ODP.

629. As set out in the Section 32 Evaluation Report Part 2: Infrastructure, the NU Network Utilities chapter of the ODP was introduced by Plan Change 16 and made operative in 2016. The INF – Infrastructure chapter of the Plan was subsequently developed to respond to changes to higher order planning direction since that time, but generally follow the NU Network Utilities chapter where there was no other evidence that a change in approach was required.

630. In relation to the amendment sought by the submitter to INF-R15 [84.19], the submitter states that '[t]here is minimal difference in the construction of a low or high pressure pipeline'. While this may be true in relation to construction effects, there may be other operational effects or

potential safety effects of the higher pressure transmission pipeline that may also need to be considered through a resource consent process. These matters are considered in detail in the officer's report for Plan Change 16 to the ODP.⁹ The conclusion of the reporting officer in that case was that a restricted discretionary activity status is appropriate for gas transmission pipelines exceeding 2,000 kilopascals. I see no reason to differ from those conclusions.

631. Additionally, I note that the transmission network has been sought to be designated through the Plan process, and it would be my expectation that any new pipelines would also be designated through an alteration to that designation under section 181 of the RMA.

3.9.3.3 *Summary of recommendations*

632. I recommend for the reasons given in the assessment, that the submissions from Firstgas Limited [84.37 and 84.41] be **rejected**.
633. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.4 **Zone Chapter Rules**

3.9.4.1 *Matters raised by submitters*

634. Hamish Tunley [52.11], in relation to GRZ-R23, seeks removal of restrictions on buildings or structures within 10 metres of the Corridor, for the reasons that the additional 10 metre setback from the corridor is excessive, is an additional financial burden and restriction, given the matters of discretion it is unclear how an applicant would get approval for resource consent, there is uncertainty in seeking resource consent, and the extent of reports required is also unclear.
635. Kāinga Ora [81.838 and 81.839] seeks that FUZ-R14 and FUZ-R15 be amended to preclude both limited and public notification, so that First Gas Ltd be given specific consideration in relation to potential reverse sensitivity effects, rather than in relation to 'any adverse effect'.

3.9.4.2 *Assessment*

636. In relation to the submission from Hamish Tunley [52.11], I disagree that the restricted discretionary rules for habitable buildings or structures within 10 metres of the Gas Transmission Pipeline Corridor is excessive. The requirement for a resource consent as a restricted discretionary activity for sensitive activities within 10 metres of the Corridor is the least restrictive of the stepped approach for protection of the gas transmission pipeline, as discussed above.
637. The resource consent process allows for consideration of the potential reverse sensitivity effects of a proposed sensitive activity being located within proximity of the gas transmission pipeline, as set out in INF-P25. This does not preclude those activities from being allowed through the consent process. The level of detail required to be provided in a resource consent application will depend on the particular circumstances of the site and the development proposed. The analysis of the costs and benefits of this process is set out in the Section 32 Evaluation Report Part 2: Infrastructure. This identifies that approximately 171 properties

⁹ Proposed District Plan Change 16 – Network Utilities Section 42A Report on Submissions

would be affected by the rules. I agree with the analysis in that report that the cost on those landowners is not significant, particularly when balanced against the potential costs on the owner and operator of the gas transmission infrastructure which could result as a consequence of addressing reverse sensitivity effects from inappropriate subdivision, use and development occurring in proximity of the pipeline.

638. I disagree with the submission from Kāinga Ora [81.838 and 81.839]. While the rule is specifically to control sensitive activities near the gas transmission network, the matters in INF-P25 to which discretion is restricted include a range of matters. Limited notification to the gas network operator may be required to inform consideration of these matters. Restricting the matters to which limited notification would be given to 'reverse sensitivity effects' may unnecessarily preclude consideration of submission points on these matters, for example construction related activities.

3.9.4.3 Summary of recommendations

639. I recommend for the reasons given in the assessment, that the submissions from Hamish Tunley [52.11] and Kāinga Ora [81.838 and 81.839] be **rejected**.
640. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.5 Hazardous Substances Rules

3.9.5.1 Matters raised by submitters

641. Firstgas Limited [84.38 and 84.6] seeks that a new restricted discretionary activity rule is included for the use of explosives within 100 metres of the Gas Transmission Network, as the submitter understands that reverse sensitivity effects from such activities are not specifically addressed under the HSNO Act or HSW Act as these Acts do not provide regulatory powers or controls in relation to land use planning, and the use of explosives near the Gas Transmission Network poses a health and safety and environmental risk should the activity not be properly managed.

3.9.5.2 Assessment

642. As identified by the submitter, the rules and duties to mitigate risks posed by hazardous substances sit under the HSNO Act or HSW Act. For work risks, I understand that the use of explosives is managed under the Health and Safety at Work (Hazardous Substances) Regulations 2017.
643. The Section 32 Evaluation Report Part 2: Hazardous Substances includes reference to the research undertaken for the development for the Plan, including the report 'Planning Analysis Report – Hazardous Substances (2019)'. The synopsis of this report concludes that:

The HSNO Act and WorkSafe Act together with the proposed Natural Resources Plan, provide a comprehensive regulatory framework for the use, storage and disposal of hazardous substances.

644. I therefore consider that there is no regulatory gap that needs to be addressed through the RMA framework, and that the requested additional provisions are therefore not necessary.

645. Additionally, I do not consider that the requested land use provisions would be effective in addressing the issue raised by the submitter. Council would not necessarily have the technical knowledge or administrative capacity to ensure provisions were being complied with.

646. The submitter may wish to address this point further, to demonstrate the need for land use planning controls in relation to the use of explosives in the vicinity of a gas transmission pipeline in addition to those controls already in place under the HSNO Act and HSW Act, and that any such provisions would be efficient and effective, give effect to higher order documents, and meet the purpose of the Act.

3.9.5.3 *Summary of recommendations*

647. I recommend for the reasons given in the assessment, that the submissions from Firstgas Limited [84.38 and 84.6] be **rejected**.

3.9.6 *Definitions*

3.9.6.1 *Habitable building*

3.9.6.1.1 *Matters raised by submitters*

648. Hamish Tunley [52.11], in relation to GRZ-R23, seeks clarification about what a habitable building or structure is in the definitions.

3.9.6.1.2 *Assessment*

649. While no definition of 'habitable building' is included in the Plan, I note that there is a definition for 'habitable room' as set out under the National Planning Standards. I consider that this provides sufficient certainty for Plan users.

3.9.6.1.3 *Summary of recommendations*

650. I recommend for the reasons given in the assessment, that the submissions from Hamish Tunley [52.11] be **rejected**.

651. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.6.2 *Gas transmission sensitive activity*

3.9.6.2.1 *Matters raised by submitters*

652. Firstgas Limited [84.4 and 84.36] seeks that a new definition of gas transmission sensitive activity be included, for the reason that such a definition is required to implement rules sought in the Plan related to the Gas Transmission Network and provide clarity. The definition sought is:

Means those activities that are particularly sensitive to the Gas Transmission Network, including but not limited to:

- *medium and high-density residential activities;*
- *retirement villages;*
- *hospitals and healthcare facilities;*
- *educational facilities;*
- *community facilities, including museums, stadiums and halls;*

- *leisure and entertainment facilities, including shopping malls and movie theatres;*
- *marae;*
- *custodial corrections activities;*
- *entertainment facilities;*
- *visitor accommodation; and*
- *hazardous facilities and infrastructure (excluding those that are ancillary to gas transmission); and*

3.9.6.2.2 Assessment

653. The submitter does not indicate where or how the new defined term is to be used in the Plan. The rules do not refer to such a term, but rather to 'sensitive activities'. It is not clear whether the submitter seeks that the rules which refer to sensitive activities in proximity of the gas transmission pipeline should instead refer to 'gas transmission sensitive activities'. The submitter may wish to address this at the hearing.

3.9.6.2.3 Summary of recommendations

654. I recommend for the reasons given in the assessment, that the submissions from Firstgas Limited [84.4 and 84.36] be **rejected**.

655. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.6.3 Gas transmission pipeline corridor

3.9.6.3.1 Matters raised by submitters

656. Geoffrey Jorgensen [130.1] seeks that the definition is amended to align the corridor with the 'six metre zone', for the reasons that access rights for the pipeline operator are already defined and set out in the easement settlement; the 12 metre designation is sufficient to ensure the pipeline integrity is maintained; an additional four metre buffer zone creates inconsistency for permitting and increases complexity for land use; negative impacts on the usability of the land; material disadvantage for the occupier; the additional buffer zone is not required at 75 Banks Boulevard, Whitby, Porirua.

3.9.6.3.2 Assessment

657. As discussed in section 3.9.1 above, I consider that the gas transmission pipeline corridor is required in addition to the designation and should extend beyond the designation boundary, as these address different resource management issues. I therefore do not agree with the submitter that the corridor should be aligned with the designation.

3.9.6.3.3 Summary of recommendations

658. I recommend for the reasons given in the assessment, that the submission from Geoffrey Jorgensen [130.1] be **rejected**.

3.10 Public walking and cycling tracks

3.10.1 INF-R9

3.10.1.1 Matters raised by submitters

659. QEII [216.48] seeks that INF-R9-7 be amended to better align with the NES-FW, for the reason that activities in wetlands should generally be non-complying given the adverse effects that can be caused, to ensure consistency with the NES-FW.
660. I note that the relief sought by GWRC [137.74] states that it seeks a controlled activity status for new tracks; however, the reasoning for this makes it clear that this is in reference to tracks within SNAs and is therefore addressed in section 3.8.5.2 above.
661. I note that submissions specifically relating to ecosystems and indigenous biodiversity (Forest and Bird [225.133], GWRC [137.47] and QEII [216.48]) are addressed in section 3.8.5.2 above.

3.10.1.2 Assessment

662. The submission from QEII [216.48] appears to have fundamentally misinterpreted the NEW-FW. The regulations define 'walking tracks and bridges connecting them' as being specific examples of a 'wetland utility structure'. Vegetation clearance, earthworks, and the taking, use, damming, diversion, or discharge of water within, or within certain distances of a wetland are restricted discretionary activities under regulation 42 of the NES-FW where these activities are for construction of a wetland utility structure.
663. As such, I do not consider that a non-complying activity for tracks within wetlands is appropriate, as this would be misaligned with the NES-FW. Consistent with and for the reasons set out in section 3.8.2 above, I consider that the appropriate amendment is to delete the reference to wetlands in the rule and instead rely on the NES-FW to manage these activities.

3.10.1.3 Summary of recommendations

664. I recommend for the reasons given in the assessment, that the submission from QEII [216.48] be **rejected**.
665. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.2 Overlay chapter rules

3.10.2.1 Matters raised by submitters

666. PCC [11.42, 11.43, 11.54, 11.55 and 11.56] seeks that ECO-R1, ECO-R4, CE-R1, CE-R2 and CE-S1 be amended to delete reference to public walking or cycling tracks, as the construction of public tracks is covered by the Infrastructure Chapter.

3.10.2.2 Assessment

667. I agree with the submitter that the provisions identified should be amended to remove the reference to public walking and cycling tracks, as the INF – Infrastructure chapter addresses these activities comprehensively in INF-R9 including within the relevant overlays.

3.10.2.3 *Summary of recommendations*

668. I recommend for the reasons given in the assessment, that the submissions from PCC [11.42, 11.43, 11.54, 11.55 and 11.56] be **accepted**.
669. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11 Zone Chapter Provisions

3.11.1 *Telecommunication infrastructure reverse sensitivity*

3.11.1.1 *Matters raised by submitters*

670. The Telcos [51.65, 51.66, 51.67, 51.68, 51.70, 51.71, 51.72, 51.73, 51.74, 51.75, 51.76, 51.77, 51.78] seek additional matters of discretion for any reverse sensitivity effects on regionally significant infrastructure for zone standards relating to maximum height of buildings and structures (SPZ-S1, SETZ-S1, GRZ-S1, MRZ-S1, GIZ-S1, SARZ-S1, GRUZ-S1, RLZ-S1, OSZ-S1, NCZ-S1, LCZ-S1, FUZ-S1 and HOSZ-S1). The reasons given are that infringing the maximum height can create reverse sensitivity effects on telecommunications through changing the efficacy of nearby antennas and create potential health and safety effects on the occupants through radiofrequency exposure.

3.11.1.2 *Assessment*

671. I disagree with the amendments sought by the Telcos [51.65, 51.66, 51.67, 51.68, 51.70, 51.71, 51.72, 51.73, 51.74, 51.75, 51.76, 51.77, 51.78], as the inclusion of the matter of discretion sought would create additional complexity for applicants, the costs of which I consider would outweigh any benefits for the infrastructure operators.
672. The Plan contains overlays for regionally significant infrastructure and associated objectives, policies and methods which are sought to be protected from reverse sensitivity effects, consistent with Policy 8 of the RPS. An example is the Gas Transmission Pipeline Corridor. This provides Plan users with clarity on what is to be protected, how, and the spatial extent of where the provisions apply.
673. The matter of discretion sought by the Telcos would refer to 'regionally significant infrastructure' generally; however, the Telcos seek this specifically in relation to telecommunications infrastructure. Inclusion of the matter of discretion as sought would require applicants to assess any potential adverse effects of a higher building on any regionally significant infrastructure within the vicinity. Additionally, the telecommunication infrastructure operated by the Telcos is not mapped in the Plan, and the extent of where reverse sensitivity effects may be generated through exceedance of the maximum height is not defined by the submitter. I consider that this may impede an efficient consenting process, for both the applicants and the Council.
674. I have also recommended that INF-P5 be amended in response to the submission from Waka Kotahi [82.45] such that considering any potential adverse effects of use and development of a site that contains or is adjacent to any Regionally Significant Infrastructure is required, along with subdivision. I consider that this will largely address the issue raised by the submitter, as

the existing matters of discretion for the standards sought to be amended include relevant matters relating to design and location of the buildings.

3.11.1.3 Summary of recommendations

675. I recommend for the reasons given in the assessment, that the submissions from the Telcos [51.65, 51.66, 51.67, 51.68, 51.70, 51.71, 51.72, 51.73, 51.74, 51.75, 51.76, 51.77, 51.78] be **rejected**.
676. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.2 Transport network reverse sensitivity

3.11.2.1 Matters raised by submitters

677. Waka Kotahi [82.218 and 82.219] seeks a new objective and policy in the GRZ addressing reverse sensitivity from noise generating activities. The submitter considers that reverse sensitivity matters should be addressed within the objectives and policies of the residential zones as it is crucial to the health, safety and wellbeing of people. Along with this, Waka Kotahi [82.224 and 82.239] also seeks additional clauses be added to GRZ-P8 and MRZ-P8 to include reference to the health, safety and wellbeing of residents not being compromised by noise generating activities, for the same reasons.

3.11.2.2 Assessment

678. The submitter identifies in their reasons that noise is addressed in the District-Wide chapter for Noise. I consider that the objectives and policies, and the associated rules and standards, of that chapter already sufficiently address the matters sought to be addressed by the submitter through the additional provisions proposed, specifically through NOISE-O2 and NOISE-P4. I therefore consider that the additional provisions sought are unnecessary and would result in duplication which would not be efficient or effective.

3.11.2.3 Summary of recommendations

679. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.218, 82.219, 82.224 and 82.239] be **rejected**.
680. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.3 Transport network considerations

3.11.3.1 Matters raised by submitters

681. Waka Kotahi [82.220, 82.222, 82.223, 82.235, 82.236, 82.237, 82.252, 82.266, 82.278, 82.279, 82.280, 82.282, 82.283, 82.284 and 82.285] seeks that additional clauses be added to GRZ-P3, GRZ-P5, GRZ-P6, MRZ-P3, MRZ-P5, MRZ-P6, GRUZ-P5, RLZ-P4, LCZ-O2, LCZ-P1, LCZ-P3, LCZ-P4, MUZ-O3, MUZ-P1, MUZ-P3 and MUZ-P4 to address the safe, effective and efficient operation of the transport network not being compromised. The reasons stated generally address that activities covered by the objectives and policies can result in an increase of vehicle movements

on the transport network, resulting in adverse effects upon the safety and efficiency of the network.

682. In relation to GRZ-R18 and MRZ-R15, Waka Kotahi [82.230 and 82.246] seeks that the submission point of GRZ-P5 and MRZ-P5 be accepted, so that the safe, effective and efficient operation of the transport network is not compromised as a result of multi-unit housing development.
683. Waka Kotahi [82.247] seeks that MRZ-S10 be amended, including an additional standard clause and matter of discretion, to ensure that fencing and standalone walls do not impact visibility splays as set out in the INF – Infrastructure chapter, as the submitter considers that adequate consideration has not been provided for transport network user safety at entrances.
684. Waka Kotahi [82.225, 82.226, 82.228, 82.229, 82.242, 82.243 and 82.244] seeks that GRZ-R6, GRZ-R7, GRZ-R11, GRZ-R16, MRZ-R5, MRZ-R6, and MRZ-R7 be amended to include a clause excluding activities that access a state highway from being permitted. The reasons for this are generally concerns regarding effects on the safety of the state highway from increased traffic generation.

3.11.3.2 Assessment

685. I consider that the additional clauses sought by Waka Kotahi [82.220, 82.222, 82.223, 82.235, 82.236, 82.237, 82.252, 82.266, 82.278, 82.279, 82.280, 82.282, 82.283, 82.284, 82.285] to a range of objectives and policies are unnecessary as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF- Infrastructure and TR – Transport chapters.
686. In relation to the submissions on GRZ-R18 and MRZ-R15 [82.230 and 82.246], GRZ-P5 and MRZ-P5 include consistency with the Multi-Unit Housing Design Guide contained in APP3-Multi-Unit Housing Design Guide. This Guide includes sections on parking and driveway design (section A5), and access and circulation (sections B3 and C2). Multi-unit developments would also need to comply with the provisions in the TR – Transport chapter. I note that I have recommended that the provisions relating to the connection of vehicle accesses to the transport network be relocated to the TR – Transport chapter, and that these have been fully reviewed by Ms Harriet Fraser as a result of submissions from other submitters to ensure they are appropriate. As such, I do not consider that an additional matter of discretion is required in relation to the safety and efficiency of the transport network specific to multi-unit housing development.
687. In relation to the submission from Waka Kotahi [82.225, 82.226, 82.228, 82.229, 82.242, 82.243, 82.244] requesting additional wording to remove activities accessing the state highway from being permitted, I note that connections of any vehicle accesses connected to a Regional or National road are restricted discretionary activities under INF-R23. As noted above, I have recommended this be relocated to the TR – Transport chapter, but this has not affected the activity status of vehicle access connecting to State Highways. Additionally, as drafted the amendments sought may be interpreted to include any pedestrian and cycling access along with any vehicle access, and in particular the amendment sought to GRZ-R11 appears to exclude any sport or recreation facility from 'fronting' a state highway. I consider that this is inappropriate, as this interpretation would be contrary to the provision of an accessible City, including pedestrian and cycling accessibility. As such, I do not agree with the amendments sought as they are unnecessary given the existing provisions, and may result in adverse outcomes.

3.11.3.3 *Summary of recommendations*

688. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.220, 82.222, 82.223, 82.225, 82.226, 82.228, 82.229, 82.230, 82.235, 82.236, 82.237, 82.242, 82.243, 82.244, 82.246, 82.247, 82.252, 82.266, 82.278, 82.279, 82.280, 82.282, 82.283, 82.284, 82.285] be **rejected**.
689. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.4 *Rail Corridor Setbacks*

3.11.4.1 *Matters raised by submitters*

690. KiwiRail [86.70] seeks amendment of each zone standard relating to a setback from road boundary to also include rail, with an associated additional matter of discretion relating to '[t]he safe and efficient operation of the rail network'. The reasons given are for safety and ensuring that all buildings on a site can be accessed and maintained for the life of that structure, without the requirement to gain access to rail land.

3.11.4.2 *Assessment*

691. I generally agree that a setback to ensure that access to buildings for maintenance is provided for without requiring access to the rail corridor is appropriate. This is consistent with the RPS Policy 8 which includes a requirement for district plans to include rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure.
692. The length of the NIMT railway line in Porirua is approximately 20 kilometres. The total area of the proposed setback where buildings or structures would not be permitted would therefore be approximately 16 hectares (including both side of the rail corridor).
693. However, I consider that a setback of 4m would enable and therefore promote the outdoor living space areas required in the zone standards to be located within these setback areas. I consider that this would be contrary to the intention of the provision requiring the setback to protect the safety of the rail corridor, as this would introduce greater levels of outdoor living activity within the setback area.
694. I consider that a 1.5m setback would generally provide adequate space for the maintenance activities required for buildings adjoining the rail corridor, noting that an exemption of 0.75m is included in the zone standards for eaves and guttering.
695. A setback of 1.5 metres would cover approximately 6 hectares (including both sides of the rail corridor) and would therefore be significantly more efficient in terms of land use than the four-metre setback sought by the submitter.
696. I agree that inclusion of the setback requirement in the zone standards requiring setbacks from roads is preferable, as this is a logical inclusion due to the similar nature of the setbacks from roads. Additionally, the alternative, being the standards for setbacks from boundaries, include exceptions allowing for one intrusion into the boundary setback standard of up to a 7m length. I consider that such an exception would not be appropriate for the setback from the rail corridor.

3.11.4.3 Summary of recommendations

697. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the zone chapter setback standards as set out below and in Appendix A;

| GRZ-S4 Setback from boundary with a road <u>or rail corridor</u> | |
|--|--|
| <p>1. Buildings and structures must not be located within a 4m setback from a boundary with a road except:</p> <ol style="list-style-type: none"> 1. On a site with two or more boundaries to a road, the building or structure must not be located within a 2m setback from the boundary with one road; and 2. Where any garage and/or carport with a vehicle door or vehicle opening facing the road, it must not be located within a 5m setback from the boundary with the road. <p><u>2. Buildings and structures must not be located within a 1.5m setback from a boundary with a rail corridor.</u></p> <p>[...]</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The streetscape and amenity of the area; 2. The design and siting of the building or structure; 3. Screening, planting and landscaping of the building or structure; 4. Pedestrian and cyclist safety (see TR-P3); and 5. Whether topographical or other site constraints that make compliance with the standard impractical. |

698. I recommend that the submissions from KiwiRail [86.70] be **accepted in part**.

3.12 Definitions

3.12.1 Line

3.12.1.1 Matters raised by submitters

699. Kāinga Ora [81.99] seeks that the term is amended to be 'Telecommunications line' to better reflect what is being defined.

3.12.1.2 Assessment

700. The definition also includes reference to lines that convey electricity, as defined in the Electricity Act 1992. Therefore, changing the term to 'Telecommunications line' would not be appropriate.

3.12.1.3 Summary of recommendations

701. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.99] be **rejected**.

3.12.2 Maintenance and repair

3.12.2.1 Matters raised by submitters

702. Kāinga Ora [81.101] seeks that the term be amended to 'Infrastructure maintenance and repair', for the reason to better reflect what is being defined, and because maintenance and repair is used in other parts of the Plan.
703. WELL [85.5] seeks that 'replacement' be included within the definition, to ensure the effective interpretation, as maintenance and repair of electricity distribution network equipment is often required as a result of equipment reaching its end of life and will be required to be replaced.
704. QEII [216.6] and Forest and Bird [225.62] seek that the definition is amended, so that it is a definition of 'maintenance' which includes 'repair' and that the definition also include 'buildings and structures' more broadly. The reasons given are that it is not clear why the definition only applies to infrastructure, and how it applies to other activities.
705. I note that the submissions from QEII [216.6] and Forest and Bird [225.62] relating to effects on indigenous biodiversity are addressed in section 3.8.5 above.

3.12.2.2 Assessment

706. I acknowledge the issue raised by Kāinga Ora [81.101] in relation to the terms maintenance and repair being used in other parts of the Plan and consider that an amendment is reasonable to address this issue. However, rather than amending the term itself, I consider that the definition should be amended to include 'As it applies to infrastructure', as this would be consistent with the definition for 'upgrading'.
707. In relation to the submission from WELL [85.5], I agree that replacement should be included within maintenance and repair, as this is consistent with the definition of 'maintenance' in the ODP; however, also consistent with that definition I consider that this should include a limitation so that the effects of the replaced or renewed infrastructure remain the same or similar in character, intensity and scale. This will also assist in differentiating the replacement of infrastructure where it would be considered upgrading under the definition for that term.
708. I do not agree with the submissions from QEII [216.6] and Forest and Bird [225.62] as, while including 'repair' within a definition of 'maintenance' would reflect the existing definition of 'maintenance' in the ODP, and acknowledging that the plain meaning of the word 'repair' could be considered a subset of maintenance activities, I consider that it is preferable to include both terms within the relevant provisions to ensure that it is clear that the policies and rules apply to both of those activities. This approach then requires either relying on the plain meaning of the words; including definitions for both terms; or including both terms in the phrase being defined (as in the Plan). I consider the last approach as preferable as this provides the clearest and most efficient method. I also note that a similar approach has been taken for the proposed district plans for both the New Plymouth and Selwyn districts.

3.12.2.3 Summary of recommendations

709. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'maintenance and repair' as set out below and in Appendix A;

| | |
|-------------------------------|---|
| Maintenance and repair | <u>As it applies to infrastructure</u> , means any work or activity necessary, <u>including replacement or renewal where the effects remain the same or similar in character, intensity and scale</u> , to continue the operation and / or functioning of existing infrastructure. It does not include upgrading. |
|-------------------------------|---|

710. I recommend that the submissions from WELL [85.5] and Kāinga Ora [81.101] be **accepted in part**.
711. I recommend that the submissions from WELL [216.6] and Forest and Bird [225.62] be **rejected**.
712. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.12.3 Pole and telecommunication pole

3.12.3.1 Matters raised by submitters

713. Kāinga Ora [81.128] seeks that the term be amended to 'National Grid transmission line pole', for the reason to avoid confusion with other uses of the term 'pole' such as 'light pole'. Kāinga Ora [81.168] seeks that the definition of 'telecommunication pole' be retained.
714. Transpower [60.14] seeks the deletion of the definition of 'pole', for the reasons that the need for the definition is questioned given the application of the NES-ETA to existing infrastructure.
715. The Telcos [51.15 and 51.58] seeks that the NES-TF definition of 'pole' is also included along with the deletion of the definition of 'Telecommunications Pole', with consequential changes to the Infrastructure chapter, for the reasons that a separate definitions for 'pole' creates issues in interpretation when a pole supports both telecommunication and electricity infrastructure.

3.12.3.2 Assessment

716. I consider that the deletion of the definition of 'pole' as sought by Transpower [60.14] is appropriate, as this will assist in interpretation and implementation of the relevant provisions, and will also address the submissions from Kāinga Ora [81.128]. Transmission lines are either addressed by the NES-ETA (where they were existing at the time the standards came into force), or will be addressed through INF-R34 or INF-R41 for upgrading and new infrastructure respectively, noting that Transpower does not own any transmission lines less than 110 kilovolts. As such, the definition of 'pole', which references the definition in the NES-ETA, is superfluous.
717. With the deletion of the definition as sought, any reference to 'pole' in the Plan that is not associated with telecommunication activities, and therefore falls under the definition of 'telecommunication pole', will have the plain English meaning, for example in relation to poles for electricity distribution lines, or customer connection lines. I consider that this is appropriate, and will assist in Plan interpretation and implementation.
718. Consequently, I disagree with Kāinga Ora in relation to [81.128], but agree in relation to [81.168], and also disagree with the Telcos [51.15 and 51.58].

3.12.3.3 Summary of recommendations

719. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Delete** the definition of 'pole' as set out in Appendix A;
720. I recommend that the submissions from Transpower [60.14] and Kāinga Ora [81.168] be **accepted**;
721. I recommend that the submissions from Kāinga Ora [81.128] and the Telcos [51.15] seeks be **rejected**.
722. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.12.4 Regionally significant infrastructure

3.12.4.1 Matters raised by submitters

723. WELL [85.6] seeks that clause (d) of the definition is amended to include the word 'local', to differentiate the two elements of the distribution network, being the lower voltage electricity supply to the local network, and the higher-voltage transmission lines that takes electricity supply from the National Grid which is then stepped down to a lower voltage to service the local network.
724. Powerco [83.9] seeks that clause (a) of the definition is amended to refer to natural and manufactured gas as well as petroleum, for the reason that the definition does not include the gas distribution assets which is inconsistent with the RPS.
725. Forest and Bird [225.69] seeks that the definition should be an exclusive list, rather than inclusive, for certainty.

3.12.4.2 Assessment

726. In relation to the submission from WELL [85.6], I note that Transpower expresses the following concerns in its further submission [FS04.19] on the amendment sought by WELL:

... the sought amendment would add confusion to the definition. Electricity transmission is undertaken by Transpower and this is supplied nationwide, including for example where lines may pass through a district but not necessarily supply electricity to it. The insertion of reference to 'local' potentially confuses the role provided by Transpower

727. I note that the Electricity Governance Rules dated 1 May 2010¹⁰ defined 'network' as meaning 'the grid, a local network or an embedded network'. As the clause in the RPS definition of regionally significant infrastructure refers to 'the network', I consider that this implies that it is inclusive of these separately defined parts of the network. As such, I consider that the amendment sought would not be consistent with the definition of regionally significant infrastructure in the RPS.

¹⁰ Available from: <https://www.ea.govt.nz/assets/dms-assets/17/17153completerules-1May10.pdf>

728. I also note that, under the Electricity Industry Act 2010, 'distribution' is defined as meaning 'the conveyance of electricity on lines other than lines that are part of the national grid'. I consider that this indicates that the sub-transmission lines operated by WELL are part of the distribution network under the relevant New Zealand legislation.
729. I therefore agree with the further submission from Transpower [FS04.19] and disagree with the submission from WELL [85.6]. However, I note that the clause does require a minor amendment to delete '/or', to be consistent with the RPS.
730. I agree with the submission from Powerco [83.9] that the gas distribution assets should be identified within the definition of regionally significant infrastructure, as this is consistent with the RPS definition. However, I consider that it would be preferable to include this infrastructure in clause (b), which addresses the Gas Transmission Network.
731. I do not agree with the submission from Forest and Bird [225.69]. An inclusive list is consistent with the RPS, the PNRP Appeals Version 2021, and the Operative Kapiti Coast District Plan 2021.

3.12.4.3 Summary of recommendations

732. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'regionally significant infrastructure' as set out below and in Appendix A;

| | |
|--|---|
| Regionally Significant Infrastructure | means regionally significant infrastructure including: <ol style="list-style-type: none"> a. pipelines for the distribution or transmission of petroleum; b. the Gas Transmission Network <u>and pipelines for the distribution of natural or manufactured gas;</u> c. the National Grid; d. facilities for the generation andor transmission of electricity where it is supplied to the network; [...] |
|--|---|

733. I recommend that the submission from Powerco [83.9] be **accepted**.
734. I recommend that the submission from WELL [85.6] be **accepted in part**.
735. I recommend that the submission from the Forest and Bird [225.69] be **rejected**.

3.12.5 Temporary infrastructure

3.12.5.1 Matters raised by submitters

736. Forest and Bird [225.76] seeks that a stated period of time be included in the definition or alternatively state the maximum duration within rules for these activities, as an undefined period would be inappropriate.

3.12.5.2 Assessment

737. The relevant rule for temporary infrastructure (INF-R20) includes a maximum time limit of 12 months. Therefore, no amendments are necessary.

3.12.5.3 Summary of recommendations

738. I recommend for the reasons given in the assessment, that the submission from the Forest and Bird [225.76] be **rejected**.

3.12.6 Tower

3.12.6.1 Matters raised by submitters

739. Kāinga Ora [81.174] and the Telcos [51.7] both seek that the term is amended to differentiate the definition from being applied to telecommunication support structures. Kāinga Ora [81.174] seeks that the terms should be 'National Grid transmission line tower', while the Telcos [51.7] seeks that the term be 'Electricity Transmission Tower'.

3.12.6.2 Assessment

740. I agree with both submitters that the term should be further refined to reflect the actual definition. I prefer the amendments sought by the Telcos [51.7], as I consider the additional reference to the National Grid to be superfluous.

3.12.6.3 Summary of recommendations

741. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the definition of 'tower' as set out below and in Appendix A;

| | |
|---|--|
| <p><u>Electricity transmission tower</u></p> | <p><u>Electricity transmission tower</u></p> <p>has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p><u>means</u></p> <p>a. <u>means</u> a steel-lattice structure that supports conductors as part of a transmission line; and</p> <p>b. includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations.¹¹</p> |
|---|--|

742. I recommend that the submissions from the Telcos [51.7] be **accepted**.

743. I recommend that the submissions from Kāinga Ora [81.174] be **accepted in part**.

¹¹ Telcos [51.7]

3.12.7 Trenching

3.12.7.1 Matters raised by submitters

744. Powerco Limited [83.12] opposes the definition and seeks the deletion of the word 'underground' as trenching will be associated with (or connect to) an above ground piece of infrastructure.
745. The Telcos [51.13] seek that the definition be amended to include 'telecommunications and radio', to align the definition with other defined terms.

3.12.7.2 Assessment

746. I agree with the submission from the Telcos [51.13] as the amendments sought provide additional clarity to the definition.
747. I also generally agree with the submission from Powerco Limited [83.12]. I agree that trenching for infrastructure more generally should be enabled, rather than just limited to underground infrastructure, where land disturbed by the trench is reinstated upon completion. This is because the effects of trenching activities will be imperceptible following completion of the works, where the requirements for sediment and erosion controls are implemented and the disturbed area is reinstated upon completion.
748. I therefore consider that, along with deletion of the word 'underground', corresponding additions are required to ensure that the trenches are temporary in nature, and are backfilled, compacted and reinstated upon completion. This will ensure that any effects of the trenching activities will be temporary.

3.12.7.3 Summary of recommendations

749. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'trenching' as set out below and in Appendix A;

| | |
|------------------|---|
| Trenching | Means the <u>temporary</u> excavation of trenches for <u>underground</u> infrastructure, including the Three Waters Network, <u>telecommunications and radio</u> communications, electricity and gas transmission and distribution, and any other network utilities, <u>where the trench is backfilled, compacted and closed upon completion of the works and the ground level reinstated to its pre-works level.</u> |
|------------------|---|

750. I recommend that the submission from the Telcos [51.13] be **accepted**.
751. I recommend that the submission from Powerco Limited [83.12] be **accepted in part**.

3.12.8 Upgrading

3.12.8.1 Matters raised by submitters

752. The Telcos [51.6] seek deletion of the definition, for the reason that the definition is unnecessary as the upgrading standard provides clarity as to what upgrading is.

753. Powerco Limited [83.13] opposes the definition and seeks that it be amended to include replacement and relocation and increases in size and pressure, for the reason that as currently drafted it only applies to existing infrastructure and the ability to upgrade is significantly constrained.
754. Forest and Bird [225.77] seeks that the definition include the wording 'provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity, and does not increase footprint of the infrastructure'. The reason given is that the definition needs to exclude any potential increase in the scale or footprint of the activity that could have increased adverse effects.

3.12.8.2 Assessment

755. I disagree with the submission from the Telcos [51.6]. I consider that the definition aids in interpretation and implementation of the rules relating to upgrading of infrastructure. Specifically, this is necessary in order to differentiate works from maintenance and repair activities, which are enabled to be undertaken with fewer standards with which compliance is required.
756. I also disagree with the submission from Forest and Bird [225.77] as the requested wording repeats section 10 of the RMA, which provides existing use rights to existing land uses. If changes to an existing activity results in the effects being the same or similar in character, intensity and scale as the existing structure or activity, the land use would be permitted under section 10 and would not be required to comply with rules in the district plan. The Plan provides for upgrading activities where the effects of the changes to the structure or any associated works are acceptable in the circumstances. The requested wording would mean that no additional effects would be permitted through upgrading activities. I consider that this is more consistent with and appropriate for maintenance and repair works, where the Plan generally only controls the associated activities such as earthworks, as the effects of the infrastructure itself will remain the same.
757. In relation to the submission from Powerco Limited [83.13], I consider that the amendments sought are appropriate, as they reflect the intention of the definition and are consistent with the relevant standards in the chapter for the upgrading of infrastructure.

3.12.8.3 Summary of recommendations

758. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of 'upgrading' as set out below and in Appendix A;

| | |
|------------------|--|
| Upgrading | As it applies to infrastructure, means the improvement, <u>relocation, replacement</u> , or increase in carrying capacity, operational efficiency, <u>size, pressure</u> , security or safety of existing infrastructure, but excludes maintenance and repair. |
|------------------|--|

759. I recommend that the submissions from Powerco Limited [83.13] be **accepted in part**.
760. I recommend that the submissions from the Telcos [51.6] and Forest and Bird [225.77] be **rejected**.

3.13 Strategic objectives

3.13.1 FC-O1

3.13.1.1 Matters raised by submitters

761. The Ministry of Education [134.9] seeks that FC-O1 be amended to include reference to “social infrastructure”, for the reason that FC-O1 does not provide for social infrastructure including educational facilities.

3.13.1.2 Assessment

762. I understand the Ministry for Education's request to insert social infrastructure into FC-O1. However, the focus of this objective is on infrastructure as defined under the PDP and the issue of social infrastructure to provide for a well-functioning urban environment is addressed through HO-O2 and UFD-O3.

3.13.1.3 Summary of recommendations

763. I recommend for the reasons given in the assessment, that the submission from the Ministry of Education [134.9] be **rejected**.

3.14 Chapter Introduction

3.14.1 Matters raised by submitters

764. Kāinga Ora [81.241] seeks that the introduction is amended to state that, ‘Similarly, provisions relevant to the Transport Network, site access, and onsite transport facilities are addressed within the Transport Chapter’. The reasons given are that the introduction is silent on the way in which roading and related provisions are to be understood and how this chapter is intended to link with the Transport chapter.

765. Forest and Bird [225.137] seeks that the consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect.

3.14.2 Assessment

766. I agree with Kāinga Ora that additional wording on the relationship with the TR-Transport chapter would be beneficial. However, as discussed in section 3.5 above, the INF-Infrastructure chapter contains the provisions relating to the transport network, and therefore the amendments sought by the submitter are not appropriate in their entirety.

767. In relation to the submission from Forest and Bird [225.137], the chapter is intended to be standalone, consistent with the direction provided in the National Planning Standards. Therefore, the request to delete the note explaining how this works is not appropriate.

3.14.3 Summary of recommendations

768. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the introduction to the chapter as set out below and in Appendix A;

Infrastructure includes facilities for the generation of electricity. This would include renewable electricity generation facilities, where these facilities supply power to other people (i.e. community or large-scale activities). However, these activities are addressed separately under the Renewable Electricity Generation chapter. Similarly, provisions relevant to site access, high trip generating activities, and onsite transport facilities are addressed within the Transport Chapter.

769. I recommend that the submissions from Kāinga Ora [81.241] be **accepted in part**.

770. I recommend that the submissions from Forest and Bird [225.137] be **rejected**.

3.15 Objectives

3.15.1 INF-01

3.15.1.1 Matters raised by submitters

771. Forest and Bird [225.103] seeks that the objective is amended to include the words 'in appropriate locations', for the reasons that the RPS does not direct that regionally significant infrastructure would be provided over environmental protections, and so context is added so that the objective to provide does not override protection.

3.15.1.2 Assessment

772. This objective addresses the recognition of the benefits of regionally significant infrastructure, consistent with Policy 7 of the RPS. The provision of infrastructure, including weighing the adverse effects, is addressed in INF-05.

3.15.1.3 Summary of recommendations

773. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.103] be **rejected**.

3.15.2 Objective INF-02

3.15.2.1 Matters raised by submitters

774. Kāinga Ora [81.243] seeks that the objective is amended to replace 'protected' with 'not compromised' and delete 'including reverse sensitivity effects', for the reasons that it opposes the term 'protect' and that 'reverse sensitivity effects' are captured by the wider wording.

3.15.2.2 Assessment

775. Policy 8 of the RPS states:

Policy 8: Protecting regionally significant infrastructure – regional and district plans

District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure.

776. The explanation to the policy states that:

Incompatible subdivisions, land uses or activities are those which adversely affect the efficient operation of infrastructure, its ability to give full effect to any consent or other authorisation, restrict its ability to be maintained, or restrict the ability to upgrade where the effects of the upgrade are the same or similar in character, intensity, and scale. It may also include new land uses that are sensitive to activities associated with infrastructure.

777. The wording contained in the proposed Plan to 'protect' regionally significant infrastructure is therefore consistent with and gives effect to Policy 8 of the RPS. The wording of the explanation in relation to 'incompatible subdivision, uses or activities' generally reflects the definition of 'reverse sensitivity' as defined in the Plan. The inclusion of the reference to reverse sensitivity is therefore appropriate and provides additional benefits for interpretation of the objective. The amendments sought are therefore not appropriate.

3.15.2.3 Summary of recommendations

778. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.243] be **rejected**.

3.15.3 INF-03

3.15.3.1 Matters raised by submitters

779. Hamish Tunley [52.9] seeks that the objective is reviewed and the wording be more specific. The reasons given are that the rules, policies and objectives need to be clearer to understand.

780. WELL [85.14] seeks that the objective be amended to include the phrase 'in advance', for the reasons to more clearly communicate an expectation that the provision of infrastructure is planned for in advance of growth rather than be provided for as a consequence of subdivision, use and development.

781. Forest and Bird [225.104] seeks that the word 'planned' is replaced with 'new', for the reason that the term planned is uncertain in this context.

782. Kāinga Ora [81.244] seeks rewording which aligns more directly with subsequent policy.

783. Transpower Ltd [60.32] seeks that 'as' be replaced with 'and' to correct a grammatical error.

784. I note that the submission from Forest and Bird [225.104] in relation to regionally significant infrastructure is addressed in section 3.3 above, and the submission from Hamish Tunley [52.9] relating to the Gas Transmission Pipeline Corridor is addressed in section 3.9 above.

3.15.3.2 Assessment

785. In relation to the submission from Hamish Tunley [52.9], on the specificity of the objective, the objective is intended to describe the outcome sought with more specificity on how that is to be achieved to be elaborated through policies which are implemented through the rules and standards. The submitter has not sought any specific changes to the objective. I do not consider that any amendments are required to provide more specificity in the objective.

786. I do not agree with the amendment sought by WELL [85.14] as the inclusion of 'in advance' would imply that the relevant infrastructure would need to be developed prior to any other

associated subdivision, use or development. This may not always be case. I also consider that the current wording of infrastructure being available to meet the needs of and being well integrated with existing and planned subdivision, use and development, provides sufficient certainty on this matter.

787. I agree in part with Forest and Bird [225.104], in that 'planned' may be somewhat uncertain in this context. Planned subdivision, use and development is intended to include those areas of the district identified as the Future Urban Zone. Section 31(1)(aa) of the RMA requires that there is sufficient development capacity in respect of housing and business land to meet expected demand. Under the NPS-UD 'sufficient development capacity' means that it must be 'plan-enabled' and 'infrastructure-ready'. The term used in the NPS-UD of 'plan-enabled' encompasses the intention of the term 'planned' in this objective, and therefore I consider that it is appropriate to use in this context.
788. In relation to the rewording sought by Kāinga Ora [81.244], the proposed rewording provides some additional clarity. However, I consider that it also loses some of the emphasis on the integration of infrastructure with planned subdivision, use and development. Additionally, the use of the phrase 'is provided in a manner' is confusing and unnecessary, as this could be interpreted as referring to the way the infrastructure is constructed, rather than the infrastructure itself. As such, I consider that the objective should be slightly reworded to achieve the outcome sought by the submitter, but in a slightly different manner.
789. There is no 'as' in the objective, and therefore I do not understand the submission from Transpower Ltd [60.32]. The submitter may wish to clarify this.

3.15.3.3 Summary of recommendations

790. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-O3 as set out below and in Appendix A;

| | |
|---|--|
| INF-O3 | Availability of infrastructure to meet existing and planned needs |
| Safe, efficient, and resilient infrastructure <u>that is safe, efficient, resilient and accessible</u> is available to meet the needs of, and is well integrated with, existing and plan- enabled subdivision, use and development. | |

791. I recommend that the submissions from Forest and Bird [225.104] and Kāinga Ora [81.244] be **accepted in part**.
792. I recommend that the submissions from Transpower Ltd [60.32], Hamish Tunley [52.9] and WELL [85.14] be **rejected**.

3.15.4 INF-O5

3.15.4.1 Matters raised by submitters

793. Forest and Bird [225.106] seeks that the word 'identified' is deleted from clause INF-O5-2, for the reason that it is inappropriate to limit the protection of SNAs to their currently identified values as these change over time.

794. Waka Kotahi [82.40] seeks that the listed matters are deleted and the objective amended to provide clarity on its intent, for the reason that the RMA requires all effects to be addressed and as currently written the objective provides a specific focus on adverse effects on the matters listed, and the objective is difficult to interpret in its current form.
795. Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet [77.8] seeks an additional matter be listed in the objective relating to the environment including the harbour and its catchments, for the reason that there is no objective that mentions environment or environmental values.
796. The Telcos [51.35] seek that the listed matters are deleted and the objective amended to include reference to recognising the functional need and operational need of infrastructure, for the reason that the recognition of functional need and operational need is important when avoiding, remedying or mitigating adverse effects, and there is no need to include the list as it is inclusionary and network utilities should be avoiding, remedying or mitigating all actual and potential adverse effects, within the limits of their functional and operational needs.
797. Kāinga Ora [81.246] seeks that 'planned built form' be added to clause INF-05-1, to reflect Kāinga Ora's wider submission.
798. I note that the submission from Forest and Bird [225.106] in relation to regionally significant infrastructure is addressed in section 3.3 above.

3.15.4.2 Assessment

799. I agree with the submission from Forest and Bird [225.106] in relation to the word 'identified' in clause INF-05-2. If the word were to be retained, this may limit the consideration of relevant values of overlay areas in the future, where these are not identified in the Plan schedules. Mr McDonnell addresses this matter in section 3.10 of the Officer's Report: Part B - Ecosystems and Indigenous Biodiversity, and states that it is possible that further values within an SNA may be identified during the ecological assessment needed for obtaining resource consent under relevant rules, and recommends that the qualifier 'identified' is removed from the ECO – Ecosystems and Indigenous Biodiversity Chapter. Consistent with that recommendation, I consider that amendment of clause INF-05-2 is appropriate to limit the qualification of the word 'identified' to overlays other than SNAs identified in SCHED7 – Significant Natural Areas.
800. In relation to the submissions from Waka Kotahi [82.40] and the Telcos [51.35] seeking the deletion of clauses INF-05-1, 2 and 3, I do not consider that deletion of these clauses is appropriate as the matters listed provide a direct link to relevant policies within the chapter. While the list is inclusive and therefore not exhaustive, I consider that it provides benefit in elaborating on, and therefore further defining, the outcome sought by the objective.
801. I disagree with the inclusion of functional need and operational need of infrastructure within the objective as sought by the Telcos [51.35], as recognising these matters is more related to how the outcome (providing for infrastructure) will be achieved rather than what the outcome sought actually is, and therefore is more appropriate to be dealt with through the supporting policies, as it is through INF-P9.
802. I agree in part with the submission from Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet [77.8] in relation to the lack of reference to the environment in the objective. However, I do not agree that this requires a new clause to be added to the objective. Rather, I consider that the objective can be amended to refer to the

'adverse effects of infrastructure on the environment', as this better aligns with the wording of Part 2 of the RMA. Further, I do not consider that specific reference to the 'harbour and its contributing catchments' is necessary, as this is addressed at a higher level within strategic objective NE-O3, and the Plan should be read as a whole.

803. In relation to the submission from Kāinga Ora [81.246], I agree that the additional wording sought provides benefit to the implementation of the objective; however, I consider that the additional wording should refer to the 'planned urban built environment' as this is more encompassing.

3.15.4.3 Summary of recommendations

804. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-O5 as set out below and in Appendix A;

| INF-O5 | Providing for infrastructure |
|---|-------------------------------------|
| <p>Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure <u>on the environment</u> are avoided, remedied or mitigated, including effects on:</p> <ol style="list-style-type: none"> 1. The anticipated <u>planned urban built environment</u>, character and amenity values of the relevant zone; 2. The identified values and qualities of <u>Significant Natural Areas identified in SCHED7 – Significant natural Areas, and the identified values and qualities of any other specified</u> Overlay; and 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards. | |

805. I recommend that the submissions from Forest and Bird [225.106], Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet [77.8] and Kāinga Ora [81.246] be **accepted in part**.
806. I recommend that the submissions from Waka Kotahi [82.40] and the Telcos [51.35] be **rejected**.
807. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16 Policies

3.16.1 INF-P1

3.16.1.1 Matters raised by submitters

808. Forest and Bird [225.107] seeks that the word 'environmental' be deleted from the policy, and the word 'drinking' be added to clause four of the policy. The reasons given are that it is not clear what the environmental benefits of regionally significant infrastructure are, and the reference to water should refer to 'drinking water' for clarity consistent with the Council's responsibilities.

809. Transpower [60.34] seeks that the policy is amended to reference the benefits being 'provided for' in addition to being 'recognised' so that the Policy reflects the wording in INF-O1 and Policy 1 of the NPS-ET.

3.16.1.2 Assessment

810. I disagree with Forest and Bird [225.107] that the environmental benefits of infrastructure are unclear. I consider that the environmental benefits of infrastructure are in many cases very clear, such as the environmental benefits of reticulated stormwater and wastewater networks and treatment systems. As such, I do not consider it appropriate that the reference to environmental benefits be deleted from the policy.

811. Similarly, I disagree with Forest and Bird's relief sought to add the word 'drinking' water to clause four of the policy. I consider that this unnecessarily implies a limited use of water supplied by the regionally significant infrastructure and would ignore the wider range of uses of water supplied to the Porirua people and communities in the policy. For example, for washing, cooking, and the critical use of water for firefighting. I consider that a more accurate term would be 'potable water'. While the two terms are often interchangeable, and while there is a subtle difference when included in the policy, I consider that the use of 'potable' would be preferable as it implies safety of the water supplied for human consumption, rather than the end use of the water. The reference to 'potable water' would also be consistent with Policy 7 of the RPS, specifically clause (a)(ii).

812. In relation to the submission from Transpower [60.34], there are separate policies for 'providing for' infrastructure, and therefore I consider that INF-P1 should remain focussed on the 'recognition' of regionally significant infrastructure.

3.16.1.3 Summary of recommendations

813. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P1 as set out below and in Appendix A;

| INF-P1 | The benefits of Regionally Significant Infrastructure |
|---|---|
| Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including: [...] | |
| 4. Safe and efficient potable water, wastewater and stormwater treatment systems, networks and services, which maintains public health and safety. | |

814. I recommend that the submissions from Forest and Bird [225.107] be **accepted in part**.

815. I recommend that the submission from Transpower [60.34] be **rejected**.

816. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.2 INF-P2

3.16.2.1 Matters raised by submitters

817. WELL [85.16] seeks that the term 'resilient' be added to the policy in relation to the functioning of the City. The reasons for this are to reflect that the electricity distribution network is also a lifeline utility as defined under the Civil Defence Emergency Management Act 2002.

818. I note that the submission from Forest and Bird [225.108] is addressed in section 3.3 above.

3.16.2.2 Assessment

819. I agree generally with the submitter in relation to the inclusion of the concept of resilience being included in the policy. Infrastructure plays an important part in the resilience of people and communities to social and economic shocks and natural hazards. However, I consider that this concept would be better to be linked to the people and communities of Porirua and therefore located in a different part of the policy than sought by the submitter.

3.16.2.3 Summary of recommendations

820. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P2 as set out below and in Appendix A;

| INF-P2 | The benefits of infrastructure other than Regionally Significant Infrastructure |
|--|---|
| Recognise the benefits that infrastructure not defined as Regionally Significant Infrastructure provides to the economic, social and cultural functioning of the City and health, <u>resilience</u> and wellbeing of people and communities. | |

821. I recommend that the submissions from WELL [85.16] be **accepted in part**.

3.16.3 INF-P3

3.16.3.1 Matters raised by submitters

822. Forest and Bird [225.109] seeks that the policy is amended as below:

~~Enable infrastructure is to be provided in a manner that is safe, efficient, integrated, accessible and anticipated available to provide sufficient capacity for existing and planned authorised subdivision, use and development.~~

823. The reasons for the amendments sought are that the enabling directive in this policy is inappropriate where significant and outstanding natural values are to be protected, as it provides for infrastructure to be integrated with subdivision, use and development, but not within environmental limits or any ecological considerations.

824. The reasons also state that reference to "planned" subdivision, use and development is uncertain as it creates a conflict with the NZCPS and the enabling directive to infrastructure for planned future growth could be read as a separate directive from existing and new infrastructure in INF-P21 and INF-P22.

3.16.3.2 Assessment

825. The policy must be read in conjunction with any other relevant policies in the chapter, including those relating to overlays. The policies include those that set out specific limitations on the development, maintenance and repair, and upgrade of infrastructure within specific overlays. As such, I do not consider that the enabling direction of the policy should be amended.
826. The appropriateness of the use of the term 'planned' is discussed in section 3.15.3 in relation to INF-O3 above. I do not consider that the term 'authorised' is appropriate, as indicated by the heading of the policy referring to 'Infrastructure for planned future growth' the intent of the policy is to ensure that infrastructure is available for future growth rather than be provided on an ad-hoc basis. By amending the wording to 'authorised', I consider that the policy would be limited to those developments that have obtained resource consents, and therefore would continue the inefficient ad-hoc delivery of infrastructure as has been experienced in the past with adverse effects on the effectiveness and efficiency of that infrastructure. Consistent with the discussion and recommendation on INF-O3, I consider that the term 'planned' should be amended to 'plan-enabled' to be consistent with the wording in the NPS-UD.

3.16.3.3 Summary of recommendations

827. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** INF-P3 as set out below and in Appendix A;

| INF-P3 | Infrastructure for planned future growth |
|---|--|
| Enable infrastructure to be provided in a manner that is safe, efficient, integrated, accessible and available to provide sufficient capacity for existing and plan-enabled subdivision, use and development. | |

828. I recommend that the submissions from Forest and Bird [225.109] be **accepted in part**.
829. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.4 INF-P4

3.16.4.1 Matters raised by submitters

830. Powerco Limited [83.31] seeks that 'where practicable' be added to clauses one and three. No specific reasons are given.
831. Waka Kotahi [82.44] seeks that the policy is amended to replace 'minimises' with 'mitigates' in clause one, and preface clause two with the phrase '[f]or any new infrastructure'. The reasons for clause two amendments are that existing infrastructure is already compatible with the character and amenity values of that zone.
832. The Telcos [51.54] seeks deletion of clause two, for the reason that it is superfluous as adverse effects are dealt with through clause one, and potentially problematic as above ground infrastructure in some instances cannot be compatible with the anticipated character and amenity of the zone.

833. Transpower [60.35] seeks amendment to INF-P4 to ensure the policy gives effect to the NPS-ET, if a new policy is not provided and amendments to INF-P6 and INF-P7 are not made as sought in other submission points.
834. Forest and Bird [225.110] seeks that the prefix of the policy is amended from '[e]nable' to '[c]onsider the appropriateness of', and that the word 'associated' is included in relation to earthworks. The reasons given are that; the policy is inconsistent with the directive to protect under Policy 24 of the RPS and Policy 11 of the NZCPS and with INF-O5, and does not consider the nature and scale of adverse impacts on SNAs from new infrastructure; removing the directive to 'enable' is necessary to allow for appropriate consideration of effects under s5 and for consenting considerations under s104; the policy should be amended to set out the minimum requirements for infrastructure to be considered as to its appropriateness, without restricting the implementation of other policies as to adverse effects which are to be avoided, remedied or mitigated. The submission also seeks amendments to refer to 'regionally significant infrastructure', which is addressed in section 3.3 above.
835. Kāinga Ora [81.250] seeks that the phrase 'planned built form' is added to clause two, for the reason that this reflects is wider submission.

3.16.4.2 Assessment

836. In relation to the submission from Powerco Limited [83.31], I do not consider that it is appropriate to add the phrase 'where practicable', as this reduces the directiveness of and introduces ambiguity to the policy. This would reduce the efficiency and effectiveness of the implementation and interpretation policy. I also note that there is a separate policy (INF-P9) which addresses the operational and functional needs of infrastructure and provides guidance on the assessment of effects of infrastructure.
837. In relation to the submission from Waka Kotahi [82.44], I agree that the maintenance and repair of infrastructure does not need to be addressed under clause two, as existing infrastructure already forms part of the character and amenity of the environment in which it is located and therefore the amendments sought to clause two are generally acceptable; however, the clause should address both new and upgrading of infrastructure.
838. I do not agree with Waka Kotahi in relation to the amendment sought to clause one to replace 'minimises' with 'mitigates'. Using the term 'mitigates' would imply that the policy is only seeking that adverse effects be made milder or less intense or severe, or to lessen the rigour or the severity of effects. This is weaker than the use of the term 'minimises' as included in the policy as proposed which seeks that adverse effects be reduced to the most extent possible. As identified above, INF-P9 addresses the operational and functional needs of infrastructure and provides guidance on the assessment of the effects of infrastructure, and therefore elaborates on what is 'possible' in the context of the proposed infrastructure. Because of this, I consider that the term 'minimises' as proposed provides greater direction and aids in interpretation and implementation, and therefore the efficiency and effectiveness of the provision.
839. In relation to the submission from the Telcos [51.54], I disagree that clause two is superfluous as it provides a connection with the policies included within the zone chapters in relation to character and amenity values and supports the differentiation of various standards for different zones such as the height of support structures. I also disagree with the assertion that there is a disconnect between the policy and the methods in the chapter, as these have been set in order to reflect the character and amenity values. On the submitter's example that poles are not

compatible with the character and amenity values of the Open Space Zone, I note that the objectives and policies do not seek that no buildings or structures are developed, but that they are integrated with the existing built form. For these reasons, I consider that the clause should not be deleted.

840. In relation to the submission from Transpower [60.35], I note that the assessment of and recommendations on the additional policy and amendments sought to INF-P6 and INF-P7 is addressed in section 3.6 above. Consistent with the recommendations in that section, I consider no amendments to INF-P4 are required.
841. In relation to the submission from Forest and Bird [225.110], I note that the reasons for the submission state that it is '[n]ot appropriate to rely on minimising effects as s5 requires 'avoiding, remedying, or mitigating any adverse effects of activities on the environment'; however, no amendments to the policy in relation to the word 'minimise' are sought. The appropriateness of the term 'minimise' is addressed above.
842. In relation to the prefix of '[e]nable', I consider that the wording as proposed in the Plan is appropriate as the policy relates to the permitted rules. The consideration of adverse effects of infrastructure that requires consent is addressed by separate policies, such as INF-P8 and the relevant overlay policies, including INF-P20 in relation to SNAs.
843. I agree with the submitter in relation to the inclusion of 'associated' as a prefix to the reference to earthworks in the policy, as any earthworks undertaken in accordance with the rules in the INF-Infrastructure chapter must be associated with infrastructure, and therefore this addition is appropriate.
844. Additionally, I note that the discussion on the appropriateness of the term 'identified' in relation to SNAs in section 3.15.4 above in relation to INF-O5 is also relevant here. I recommended that consequential amendments are made to align INF-P4 with the recommended amendments to INF-O5 on this matter.
845. In relation to the submission from Kāinga Ora [81.250], consistent with the recommendation on INF-O5 I agree that additional wording should be included; however, this should refer to the 'planned urban built environment' rather than 'planned built form' as sought by the submitter.

3.16.4.3 Summary of recommendations

846. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P4 as set out below and in Appendix A;

| INF-P4 | Appropriate infrastructure |
|---|-----------------------------------|
| <p>Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including <u>associated</u> earthworks, that:</p> <ol style="list-style-type: none"> 1. Is of a form, location and scale that minimises adverse effects on the environment; 2. <u>For any new or upgrading of existing infrastructure, it is</u> compatible with the anticipated <u>planned urban built environment</u>, character and amenity values of the zone in which the infrastructure is located; and 3. For any maintenance and repair, or removal of existing infrastructure in any <u>specified</u> Overlay, it is of a nature and scale that does not adversely impact on the <u>identified</u> values and characteristics <u>of an area identified</u> | |

in SCHED7 – Significant Natural Areas, or the identified values and characteristics of any other specified Overlay that it is located within.

847. I recommend that the submissions from Waka Kotahi [82.44], Kāinga Ora [81.250] and Forest and Bird [225.110] be **accepted in part**.
848. I recommend that the submissions from the Telcos [51.54], Transpower [60.35] and Powerco Limited [83.31] be **rejected**.
849. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.5 INF-P5

3.16.5.1 Matters raised by submitters

850. Radio New Zealand Limited [121.20] seeks that the word 'minimise' in clause INF-P5-1.c be replaced with 'avoid', for the reason that the clause does not go far enough to protect from reverse sensitivity.
851. The Telcos [51.52] seeks that clauses six and seven are shifted to the top of the policy, for the reason that this will provide greater clarity to Plan users.
852. Transpower [60.134] seeks to split the policy and have a specific National Grid policy, as such a framework would recognise the national significance of the National Grid and give effect to the NPS-ET. I note that the wording amendments sought by Transpower [60.134] are addressed in section 3.6.5.1 above.
853. Waka Kotahi [82.45] seeks that the policy is amended as below:

4. Requiring sensitive activities to be located and designed so that potential adverse effects of ~~and on~~ the Rail Corridor and State Highways are avoided, remedied or mitigated.

[...]

6. Considering any potential adverse effects of subdivision, use and development of a site that contains or is adjacent to or located near, any Regionally Significant Infrastructure other than the National Grid, including:

[...]

7. Requiring subdivision, use and development of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.

8. Require developers to fund the upgrade of Regionally Significant Infrastructure that is required as a result of subdivision, use and development.

854. Powerco Limited [83.32] seeks that clause four of the policy be amended to include the electricity and gas transmission and distribution networks, as the submitter is also seeking that the gas distribution network be included within the definition of Regionally Significant Infrastructure.
855. Kāinga Ora [81.251] seeks deletion of the policy, for the reason that; it considers that designations should be used where such protection is required; it opposes the noise provisions

relevant to the Rail Corridor and State Highway network; and INF-P5, INF-P6 and INF-P7 appear to be managing the same issue, and the subdivision chapter deals with these matters comprehensively, so this is unnecessary duplication. I note that the parts of the submission relating to the National Grid are addressed in section 3.6.5.1 above.

3.16.5.2 Assessment

856. I agree with the submission from Radio New Zealand Limited [121.20] that the term 'minimise' is not strong enough in relation to the potential reverse sensitivity effects. While this will ensure that effects are reduced to the lowest extent possible, in some cases this may not be sufficient to ensure the efficient and effective ongoing operation of infrastructure. However, rather than avoiding all reverse sensitivity effects, I consider that the policy should require significant reverse sensitivity effects to be avoided, and other reverse sensitivity effects be avoided, remedied or mitigated. This recognises that not all reverse sensitivity effects will be able to be avoided but will ensure that appropriate mitigation will be in place to address these effects.
857. I also agree with the submission from the Telcos [51.52] to bring the matters in clauses six and seven to the top of the policy, and similarly the submission from Transpower [60.134] to split the policy and have a specific National Grid policy. Reorganising the policy in this manner will make it easier for Plan users to understand, and therefore will benefit Plan interpretation and implementation.
858. I do not consider that the amendments sought by Powerco Limited [83.32] are necessary, as clause four addresses the Rail Corridor and State Highways in particular, as there is potential for significant reverse sensitivity effects on these networks. Similarly, the gas transmission and National Grid are also addressed by a separate policy clause. I do not consider that the electricity or gas distribution networks are at a similar level of risk from reverse sensitivity effects, and the more general clauses within the policy will be sufficient to manage any potential adverse effects on those networks.
859. In relation to the submission from Waka Kotahi [82.45], I agree with amendments and the submitter's reasons for the addition of 'use and development', and the deletion of 'and on'. Policy 8 of the of the RPS requires protection of regionally significant infrastructure from incompatible new subdivision, *use and development* occurring under, over, or adjacent to the infrastructure. As such, inclusion of the words 'use and development' as sought by the submitter would assist in giving effect to the RPS. However, I disagree with proposed new clause 8, as funding of infrastructure is a matter outside of the RMA and is therefore not appropriate to include in the Plan. Additionally, the phrase 'or located near' as sought by the submitter is superfluous as the word 'adjacent' does not mean adjoining but encompasses the area near or close to the site.
860. In relation to the submission from Kāinga Ora [81.251], the Rail Corridor and State Highway network are at significant risk from reverse sensitivity effects from subdivision, use and development in close proximity to these networks. As such, I do not agree that the relevant provisions managing these effects should be deleted. No specific reasons are provided for the deletion of this policy clause and the submitter may wish to elaborate on this at the hearing.
861. INF-P6 and INF-P7 address the effects of upgrading and development of the National Grid, respectively. These therefore address quite different matters than INF-P5 which is quite clear in addressing the adverse effects on regionally significant infrastructure. Similarly, I do not consider that the submitter is correct in asserting that the SUB-Subdivision chapter

comprehensively addresses the matters covered in INF-P5, including because INF-P5 addresses both activities as well as subdivision matters, and provides the matters of discretion for rules relating to infrastructure in the SUB – Subdivision chapter.

3.16.5.3 Summary of recommendations

862. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P5 as set out in Appendix A;

Note: The recommended amendments are not included here due to length.

863. I recommend that the submissions from the Telcos [51.52] be **accepted**.

864. I recommend that the submissions from Transpower [60.134] and Waka Kotahi [82.45] be **accepted in part**.

865. I recommend that the submissions from Radio New Zealand Limited [121.20], Powerco Limited [83.32] and Kāinga Ora [81.251] be **rejected**.

866. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.6 INF-P8

3.16.6.1 Matters raised by submitters

867. Powerco Limited [83.35] seeks that the term 'minimised' is replaced with 'avoided, remedied or mitigated' in clauses three, seven and nine, and 'enhanced' is deleted from clause six, for the reasons that minimising effects may not be possible in all circumstances and the ability to 'enhance' public access to and along the coastal marine area and water bodies may not be achievable or appropriate.

868. Waka Kotahi [82.46] seeks that the term 'minimised' is replaced with 'mitigated' in clauses three, five, seven and nine. No specific reasons are given in relation to the policy, but the wider submission states that the term is difficult to interpret and apply in practice, and 'mitigate' aligns with the effects hierarchy under the RMA.

869. Transpower [60.39] seeks retention of INF-P8 if INF-P6 and INF-P7 are amended as sought, or amendments to give effect to the NPS-ET if a new policy is not provided.

870. The Telcos [51.50] oppose and seek deletion of the policy, for the reason that the submitter is unsure of the purpose of the policy and does not consider that the proposed rules and standards give effect to it, particularly clauses 1 and 2. Clause 3 is prescriptive and adverse effects on amenity values are detailed in other policies.

871. Kāinga Ora [81.254] seeks deletion of clauses two and seven of the policy, for the reason that clause two is too strong and the RMA issues are dealt with at INF-P8-3, and in relation to INF-P8-7 overlays are identified and there are relevant provisions managing effects within these identified areas, and is over-reaching and attempting to manage land that sits outside of an identified overlay.

872. Forest and Bird [225.113] opposes and seeks that the policy is deleted, or alternatively the term 'minimised' in clauses seven and nine are replaced with 'avoided' and 'avoided, remedied or mitigated', respectively. The reasons given are that it is 'not appropriate to provide for on the basis of minimising a[n] effect'.
873. I note that the amendments sought by Forest and Bird [225.113] in relation to regionally significant infrastructure, indigenous biological diversity and SNAs are addressed in sections 3.3 and 3.8 above.

3.16.6.2 Assessment

874. I disagree with the amendment sought by Powerco Limited [83.35] for the deletion of 'enhanced' from clause six, as 'the maintenance *and enhancement* of public access to and along the coastal marine area, lakes, and rivers' (my emphasis) is a matter of national importance under section 6(d) of the RMA. Additionally, Policy 53 of the RPS requires that particular regard shall be given to enhancing public access, with some exceptions including the integrity and security of regionally significant infrastructure, to and along certain areas of the coastal marine area, lakes and rivers, and Porirua (Onepoto Arm and Pāuatahanui Inlet) Harbour. I have considered whether the policy clause should be amended to reflect the exceptions stated in the RPS policy; however, I consider that those exceptions should be considered through the design and siting of the infrastructure being considered under the policy, and therefore is not necessary.
875. I consider that clauses two and seven should not be deleted, as sought by Kāinga Ora [81.254], as these clauses reflect important considerations for a decision maker in processing any resource consents required for infrastructure. The anticipated character and amenity values of the zones set out in the Plan are identified in policies for the zones, and as such clause two provides an important link to those policies. I disagree with the submitter that infrastructure cannot always be compatible with the planned urban form and environment, as urban environments rely on the provision of infrastructure, and the character and amenity values reflect this. The overlays included in the Plan have specific policies included in the INF-Infrastructure chapter for infrastructure located within those areas; however, I do not consider that it would be appropriate to ignore potential adverse effects of infrastructure proposed to be located outside of, but which may have impacts on, those overlays.
876. Submitters Powerco Limited [83.35], Waka Kotahi [82.46] and Forest and Bird [225.113] all variously seek amendments to the clauses which require minimising adverse effects.
877. I disagree with the submission from Waka Kotahi [82.46]. 'Mitigate' is to make something milder or less intense or severe, or 'to lessen the rigour or the severity of effects'. I do not consider that this is appropriate for these policy clauses, as residual adverse effects may remain unacceptable even after mitigation is implemented.
878. I also disagree with the submission from Forest and Bird [225.113] for adverse effects on any values and qualities of any adjacent Overlays to be 'avoided' in clause seven. This would generally be more restrictive in relation to adverse effects than the specific policies relating to infrastructure within these overlays, and therefore would not be appropriate.
879. Similarly, I disagree with the relief sought by Forest and Bird [225.113] in relation to clause nine, and Powerco Limited [83.35] in relation to clauses three, seven and nine, as the use of 'avoid, remedy or mitigate' provides little guidance to a decision maker and the term 'minimise' is more

appropriate as this will ensure the adverse effects being addressed are reduced to the most extent possible.

880. In relation to the submission from Transpower [60.39], the amendments sought to policies INF-P6 and INF-P7 are addressed in section 3.6.5 above. INF-P6 and INF-P7 relate to the upgrade and development of the National Grid respectively and address adverse effects of that infrastructure. The recommendation in that section is that the policies are not amended to be one combined policy as sought by the submitter. I do not consider that any amendments are required to give effect to the NPS-ET in this policy; however, an amendment to clarify the relationship with the National Grid infrastructure would be beneficial.
881. I disagree with the relief sought by the Telcos [51.50] for deletion of the policy. The policy provides important matters for consideration through resource consent processes, including acting as matters of discretion for some rules.¹² As such, deletion would be detrimental to the efficient and effective implementation of the provisions of the chapter.
882. However, I acknowledge the reasoning provided by the Telcos [51.50] that the purpose of the policy is unclear. I agree that the purpose of the policy could be clarified. I consider that this can be achieved by amending the heading of the rule to 'Potentially acceptable infrastructure'. This would further differentiate the policy and its purpose from INF-P4 (which sets up the provisions for appropriate infrastructure). Additionally, an amendment to clarify the relationship with the policies relating to overlays would also assist in clarifying the purpose and intended implementation of the policy. With these amendments, I consider that the purpose of the policy will be clarified, assisting the interpretation and implementation of the policy, and therefore the efficiency and effectiveness of the chapter as a whole.
883. In relation to the statement from the Telcos [51.50] that the proposed rules and standards do not give effect to the policy, particularly clauses 1 and 2, as identified the rules and standards give effect to INF-P4, with INF-P8 setting out the matters for consideration through resource consent processes. Additionally, I consider that clause three is not overly prescriptive as it sets out important considerations relating to effects on amenity values, and generally reflects matters set out in the Network Utilities chapter of the ODP.

3.16.6.3 Summary of recommendations

884. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P8 as set out below and in Appendix A;

| | |
|--|---|
| INF-P810 | Provide for Regionally Significant Infrastructure and other infrastructure outside of Overlays <u>Potentially acceptable infrastructure</u> |
| Provide for Regionally Significant Infrastructure and other infrastructure, <u>other than the National Grid</u> , where it can be demonstrated that the following matters can be achieved: | |
| 1. Compatibility with the site, existing built form and landform; | |

¹² Section 9.5 of the Officers' Report: Part A – Overarching Report addresses the use of policies as matters of discretion or control more broadly.

2. Compatibility with the anticipated character and amenity values of the zone it is located in;
 3. Any adverse effects on amenity values are minimised, taking into account:
 - a. The bulk, height, size, colour, reflectivity of the infrastructure;
 - b. Any proposed associated earthworks;
 - c. The time, duration or frequency of any adverse effects; and
 - d. Any proposed mitigation measures;
 4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;
 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;
 6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;
 7. Any adverse effects on any values and qualities of any adjacent specified Overlays are minimised;
 8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and
 9. Any adverse cumulative effects are minimised.
10. Consistency with any relevant provisions of INF-P18 to INF-P24 where the infrastructure is located within a specified overlay.

885. I recommend that the submissions from Transpower [60.39] and the Telcos [51.50] be **accepted in part**.
886. I recommend that the submissions from Powerco Limited [83.35], Waka Kotahi [82.46], Kāinga Ora [81.254] and Forest and Bird [225.113] be **rejected**.
887. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.7 INF-P9

3.16.7.1 Matters raised by submitters

888. Waka Kotahi [82.47] seeks that the policy be amended as below:

b. The potential for significant adverse effects have been ~~minimised~~ mitigated through site, route or method selection; and

c. Functional and operational needs constrain the ability to avoid, remedy or mitigate adverse effects of infrastructure. ~~is constrained by functional and operational needs;~~

[...]

6. The benefits of the infrastructure on the surrounding network”.

889. The reasons for these amendments are that the benefits of regionally significant infrastructure should be considered when making decisions on new infrastructure and the maintenance,

repair and upgrading of existing infrastructure, and that clause 1.c could be expressed more clearly as it is difficult to interpret.

890. Forest and Bird [225.114] opposes the policy and seek it be deleted, for the reason that the National Planning Standards include definitions of these terms and it is not clear what the policy adds; the RPS does not provide direction to consider the matters in this policy beyond regionally significant infrastructure and the recognition set out in this policy is inappropriate to other infrastructure; minimising the potential for a significant adverse effect is not the same as avoiding that effect; and it appears to duplicate many considerations already set out in the other policies.

3.16.7.2 Assessment

891. In relation to the submission from Forest and Bird [225.114], the RPS provisions do not constrain the ability to consider infrastructure other than regionally significant infrastructure, it directs that the benefits of regionally significant infrastructure shall be recognised and protected. If the policies were interpreted to be exclusive and that no other consideration could be included in the Plan outside of that directed by the RPS, this would also mean that adverse effects of regionally significant infrastructure could not be considered. This is an obvious absurdity.
892. In relation to the definitions of functional need and operational need in the National Planning Standards, the definitions are very broad and are not specific to infrastructure. The policy provides much greater direction for matters to consider in relation to functional needs and operational needs of infrastructure.
893. I do not consider that the additional clause relating to the benefits of the infrastructure on the surrounding network, as sought by Waka Kotahi [82.47], is required. The benefits of infrastructure are recognised by INF-P1 and INF-P2. I do not consider that any additional clauses are required to supplement these policies.
894. I do agree with Waka Kotahi [82.47] in relation to clause INF-P9-1.c that this clause could be better expressed. The amendment sought by the submitter achieves this.
895. I consider that the amendment sought by Waka Kotahi [82.47] in relation to clause INF-P9-1.b to replace 'minimise' with 'mitigate' is not appropriate, for the same reasons as stated in section 3.16.4 above, and I come to the same conclusion as stated in that section.

3.16.7.3 Summary of recommendations

896. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** INF-P9 as set out below and in Appendix A;

| INF-P911 | Recognise operational needs and functional needs of infrastructure |
|--|---|
| <p>Recognise the operational needs and functional needs of Regionally Significant Infrastructure and other infrastructure by having regard to the following matters when making decisions on new infrastructure and the maintenance and repair and upgrading of existing infrastructure:</p> <ol style="list-style-type: none"> 1. The extent to which; <ol style="list-style-type: none"> a. The infrastructure integrates with, and is necessary to support, planned urban development; | |

- b. The potential for significant adverse effects have been minimised through site, route or method selection; and
- c. Functional and operational needs constrain the ability to avoid, remedy or mitigate adverse effects of infrastructure ~~is constrained by functional and operational needs;~~

897. I recommend that the submissions from Waka Kotahi [82.47] be **accepted in part**.
898. I recommend that the submissions from Forest and Bird [225.114] be **rejected**.
899. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.8 INF-P10

3.16.8.1 Matters raised by submitters

900. Forest and Bird [225.115] seeks consideration of the appropriate chapter for locating this policy, or amendment to clarify with respect to regionally significant infrastructure, and to promote rather than recognise. The reasons given are that it is not clear how it relates to regionally significant infrastructure or in what way this should be recognized, and that it is more appropriate for a policy promoting these benefits.

3.16.8.2 Assessment

901. As the policy relates to infrastructure, the appropriate chapter for its location is the INF-Infrastructure chapter. As the policy does not differentiate between regionally significant infrastructure or other infrastructure, I consider that it is clear that it applies to all infrastructure. The term 'promote' is not used in the Plan for policies, although I note that a similar term, 'encourage', is, such as INF-P15. However, I consider that the current wording of 'recognise' is more appropriate as the policy relates to the benefits of new technology, rather than the implementation of that technology, which is consistent with the relevant objectives in the chapter and the provisions of the RPS.

3.16.8.3 Summary of recommendations

902. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.115] be **rejected**.

3.16.9 INF-P11

3.16.9.1 Matters raised by submitters

903. Radio New Zealand Limited [121.23] seeks deletion of the phrase 'and/or other nationally recognised standards' from the policy, for the reason that this is uncertain and unclear.

3.16.9.2 Assessment

904. I acknowledge that the wording of the policy is somewhat ambiguous and could be better drafted to provide greater clarity. I note that policy 9 of the NPS-ET states:

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz) (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

905. I consider that amendment to the policy is needed to align with Policy 9 of the NPS-ET and provide clarity. This can be achieved by referring to applicable New Zealand standards and national environmental standards, and internationally recognised guidelines. This wording addresses the relevant standards and guidelines, and provides support for those documents referenced in INF-R1.

3.16.9.3 Summary of recommendations

906. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P11 as set out below and in Appendix A;

| INF-P113 | Electric and magnetic fields and radiofrequency fields |
|--|---|
| Avoid infrastructure that does not meet <u>any applicable New Zealand standards or</u> national environmental standards, <u>and/or other internationally recognised standards or</u> guidelines, for electric and magnetic fields and radiofrequency fields. | |

907. I recommend that the submissions from Radio New Zealand Limited [121.23] be **accepted in part**.

908. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.10 INF-P16

3.16.10.1 Matters raised by submitters

909. Kāinga Ora [81.262] seeks deletion of the policy, as it opposes the inclusion of this as a policy in the Plan.

3.16.10.2 Assessment

910. The policy provides support for the location of infrastructure within the road corridor. This supports INF-P13-6 in relation to the provision of space within roads for infrastructure, as well as the associated road design standard requiring an infrastructure berm. No reasons are provided by Kāinga Ora for opposing the policy.

3.16.10.3 Summary of recommendations

911. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.262] be **rejected**.

3.16.11 INF-P17

3.16.11.1 Matters raised by submitters

912. Forest and Bird [225.119] seek that the policy be amended to change the start of the policy to '[o]nly consider allowing', and inclusion of a third clause that 'the objectives of the relevant chapters and overlay provisions are achieved'. The reasons given are that an upgrade could be allowed on the basis of this policy alone; the matters listed do not capture the full scope of consideration of objectives and provisions in the relevant chapters and it is unclear how those other provisions could be considered as this is restricted by the scope of this chapter as described in the chapter introduction and note.

3.16.11.2 Assessment

913. The amendments sought reduce the directiveness of the policy. I consider that the policy provides sufficient protection of the values of the site, setting or area, and the amendments sought are unnecessary.

914. Specifically in relation to the additional clause sought, this is not consistent with the overall structure of the INF-Infrastructure chapter. Cross-references to specific policies in other chapters are included in the chapter, but a generic reference to 'the objectives of the relevant chapters and overlay provisions' is extremely ambiguous and I consider that it would be contrary to good plan drafting practice.

3.16.11.3 Summary of recommendations

915. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.119] be **rejected**.

916. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.12 INF-P18

3.16.12.1 Matters raised by submitters

917. WELL [85.20] seeks that dripline areas are added to the policy in addition to the reference to the root protection area, for the reason to recognise sections of WELL's overhead line network.

3.16.12.2 Assessment

918. The term 'root protection area' as defined in the Plan is consistent with other district plans, for both root protection areas or zones (for example the Auckland Unitary Plan) as well as a tree dripline (for example the Christchurch City Plan). The Plan does not define the term 'dripline'. Therefore, I do not consider that the addition of the term dripline in the policy as sought by the submitter would aid interpretation or implementation of the policy, and may actually hinder this by introducing a term that is not otherwise used in the Plan, and therefore is unnecessary.

3.16.12.3 Summary of recommendations

919. I recommend for the reasons given in the assessment, that the submissions from WELL [85.20] be **rejected**.

920. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.13 INF-P19

3.16.13.1 Matters raised by submitters

921. Forest and Bird [225.121] seeks that the policy is amended so that it is less directive and allows for a case-by-case determination with consideration of adverse effects, for the reason that the policy assumes that the activity will be more important than retaining the tree.

3.16.13.2 Assessment

922. The policy wording is purposely directive, as this provides for an efficient and effective interpretation and implementation of the policy and supporting rules.

923. However, I acknowledge that the policy requires amendments to include situations where the tree poses a serious imminent threat to the safety of people or property or is dead or in terminal decline, consistent with TREE-P5.

924. Where a tree is removed that does not fit the criteria in TREE-P5, as included in INF-S19-3, it is a discretionary activity. This allows for a case-by-case consideration of the adverse effects, taking into consideration the criteria of operational or functional needs that means the infrastructure's location cannot be avoided and there are no feasible alternatives. This provides a relatively high bar for the removal of notable trees for new or upgraded infrastructure.

3.16.13.3 Summary of recommendations

925. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P19 as set out below and in Appendix A;

| INF-P1920 | Removal of Notable trees |
|--|---------------------------------|
| <p>Only allow the removal of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and repairing, upgrading and removing existing infrastructure and any new infrastructure where <u>the criteria in TREE-P5 are met, or</u> it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and 2. There are no feasible alternatives. | |

926. I recommend that the submissions from Forest and Bird [225.121] be **accepted in part**.

927. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.14 INF-P21

3.16.14.1 Matters raised by submitters

928. Transpower New Zealand Ltd [60.44] seeks retention of INF-P21 if INF-P6 and INF-P7 are amended as sought, or amendments to give effect to the NPS-ET if a new policy is not provided.

929. Powerco Limited [83.43] seeks that clause one of the policy is amended as below:

1. Any ~~significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated as far as reasonably practicable~~ and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 – Special Amenity Landscapes are maintained to the extent practicable; and

930. The reasons given for this are that new infrastructure may only be able to minimise adverse effects due to technical and/or operational constraints.

931. Kāinga Ora [81.267] seeks that the phrase 'significant adverse effects are avoided, and any other' is deleted from clause one. No reasons are given for this amendment.

932. I note that the amendments sought by Forest and Bird [225.123] in relation to regionally significant infrastructure, indigenous biological diversity, and whether values in these areas meet the significance criteria in Policy 23 of the RPS are addressed in sections 3.3 and 3.8 above.

3.16.14.2 Assessment

933. In relation to the submission from Transpower New Zealand Ltd [60.44], the amendments sought to INF-P6 and INF-P7 are addressed in section 3.6.5 above. INF-P6 and INF-P7 relate to the upgrade and development of the National Grid respectively and address adverse effects within Special Amenity Landscapes. The recommendation in that section is that the policies are not amended to be one combined policy as sought by the submitter. INF-P21 includes the phrase '[e]xcept as provided for by INF-P6 and INF-P7', and as such, I do not consider that any amendments are required to give effect to the NPS-ET in this policy.

934. In relation to the submissions from both Powerco Limited [83.43] and Kāinga Ora [81.267] on the avoidance of significant adverse effects, this matter is addressed in section 7.1 of the Section 32 Evaluation Report Part 2: Natural Features and Landscapes, as well as section 3.6 of the Officer's Report: Part B - Natural Features and Landscapes. Consistent with those reports, I consider that the avoidance of significant adverse effects within Special Amenity Landscapes is appropriate. I also note that INF-P21 does not differentiate between Special Amenity Landscapes located within or outside of the coastal environment, and therefore maintaining the avoidance of significant adverse effects is consistent with the NZCPS.

935. I also disagree with the other amendments sought by Powerco Limited [83.43] to include phrases relating to as far as reasonably practicable, or to the extent practicable, as these reduce the directiveness of the policy and subsequently the effectiveness and efficiency of the interpretation and implementation of the policy.

3.16.14.3 Summary of recommendations

936. I recommend for the reasons given in the assessment, that the submissions from Transpower New Zealand Ltd [60.44], Powerco Limited [83.43] and Kāinga Ora [81.267] be **rejected**.

937. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.15 INF-P22

3.16.15.1 Matters raised by submitters

938. Transpower New Zealand Ltd [60.45] seeks retention of INF-P22 if INF-P6 and INF-P7 are amended as sought, or amendments to give effect to the NPS-ET if a new policy is not provided.

939. The Telcos [51.55] seeks that the phrase 'or the utility is a lifeline utility' is included in clause one of the policy for the reason of giving consideration to lifeline utilities.

940. Forest and Bird [225.124] seeks that the cross references to NFL-P3 and NFL-P6 and CE-P3 in clause four are deleted. No reasons are given.

941. I note that the amendments sought by Forest and Bird [225.124] in relation to regionally significant infrastructure, indigenous biological diversity, and whether values in these areas meet the significance criteria in Policy 23 of the RPS are addressed in sections 3.3 and 3.8 above.

3.16.15.2 Assessment

942. In relation to the submission from Transpower New Zealand Ltd [60.45], the amendments sought to INF-P6 and INF-P7 are addressed in section 3.6.5 above. INF-P6 and INF-P7 relate to the upgrade and development of the National Grid respectively and address adverse effects within Outstanding Natural Features and Landscapes and Coastal High Natural Character Areas. The recommendation in that section is that the policies are not amended to be one combined policy as sought by the submitter. INF-P22 includes the phrase '[e]xcept as provided for by INF-P6 and INF-P7', and as such, I do not consider that any amendments are required to give effect to the NPS-ET in this policy.

943. While I have some understanding for the desire for consideration of lifeline utilities to be located within Coastal High Natural Character Areas as sought by the Telcos [51.55], I consider that the lack of an associated definition would open up the policy by introducing ambiguity. Taking the definition of 'lifeline utility' as used in the Civil Defence and Emergency Management Act 2002 would cover most liner infrastructure. The definitions of operational need and functional need are also relatively broad, and therefore I do not consider that the clauses of the policy need to be further expanded to include lifeline utilities. I therefore consider that the amendment sought is not appropriate.

944. I disagree with the amendment sought by Forest and Bird [225.124] to delete the cross-references to NFL-P3 and NFL-P6 and CE-P3 from the policy. The submitter has not provided an explanation of why this deletion is sought. Due to the structure to the INF-Infrastructure chapter, these cross-references play an important part for consideration of relevant matters through resource consent processes. Therefore, I consider that it is not appropriate to delete these references.

3.16.15.3 Summary of recommendations

945. I recommend for the reasons given in the assessment, that the submissions from Transpower New Zealand Ltd [60.45], Forest and Bird [225.124] and the Telcos [51.55] be **rejected**.

946. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16.16 INF-P23

3.16.16.1 Matters raised by submitters

947. Transpower New Zealand Ltd [60.46] seeks that the heading be amended to refer to 'Hazards and Risks Overlays', the prefix to the policy from '[o]nly allow' to '[p]rovide', and amendment of clause two to remove reference to the infrastructure's location not being able to be avoided and there being no reasonable alternatives. The reasons given are to ensure that the development of the National Grid is not inappropriately constrained by this Policy, and the Plan map legend refers to 'Hazards and Risks Overlay'.

948. KLP [59.12] seeks that the phrase 'not vulnerable' in clause three is replaced with 'designed to be resilient', for the reasons that the current wording is difficult to interpret and resilience is better understood by engineers.

949. The Telcos [51.26] seeks the deletion of clauses three and five, for the reasons that the Council should not be concerned about the vulnerability of the infrastructure to the natural hazard, or its ability to maintain reasonable and safe operation during and after an event as these are matters for the asset owner, and temporary infrastructure could be used as an alternative.

950. I note that the submission from Forest and Bird [225.125] is addressed in sections 3.3 and 3.8 above.

3.16.16.2 Assessment

951. I agree with the submission from KLP [59.12] as I consider that the amendment sought better reflects the intent of the clause, and the professional understanding of the terms.

952. I disagree with the submission from the Telcos [51.26], as the ability for infrastructure to function during and after natural hazard events is important for enabling people and communities to provide for their social, economic, and cultural well-being and for their health and safety, consistent with the purpose of the RMA. I note that Policy 29 of the RPS requires that district plans include polices to avoid inappropriate subdivision and development in areas at high risk from natural hazards. Additionally, Policy 51 states:

When considering an application for a resource consent, notice of requirement, or a change, variation or review to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be minimised, and/or in determining whether an activity is inappropriate particular regard shall be given to:

[...]

(d) the potential for injury or loss of life, social disruption and emergency management and civil defence implications – such as access routes to and from the site;

953. As such, the RPS gives direction that the risk and consequences of natural hazards on infrastructure are to be minimised. This includes consideration of social disruption and emergency management and civil defence implications. I therefore do not consider that the deletion of clauses three and five would be appropriate, as the particular infrastructure being

considered may be defined as a lifeline utility, and therefore required under the Civil Defence Emergency Management Act 2002 to ensure that it is able to function to the fullest possible extent during and after an emergency.

954. In relation to the submission from Transpower New Zealand Ltd [60.46], I disagree with the amendment sought to amend the policy to refer to 'Hazards and Risks Overlays', as this is merely a title for the grouping of overlays on the online map, and relates to the heading under the District-wide matters.¹³ The terms 'Coastal Hazard Overlay' and 'Natural Hazard Overlay' are defined in the Plan, and therefore I consider that the Plan is clear as to their meaning.
955. In relation to the amendment sought to the prefix of the policy from '[o]nly allow' to '[p]rovide', the phrase 'only allow' as used in the Plan indicates that the policy provides for activities only in the right circumstances where the effects can be adequately managed and key outcomes can be achieved, as expressed in the policy. I consider that this is appropriate for INF-P23, as this is the intent of the policy.
956. In relation to the amendment sought to clause two, I disagree with the deletion sought as the clause assists in giving effect to Policy 51 of the RPS in relation to minimising the risks and consequences of natural hazards.

3.16.16.3 Summary of recommendations

957. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-P23 as set out below and in Appendix A;

| INF-P243 | Upgrades to and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays |
|---|--|
| Only allow for upgrades to existing and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure: | |
| [...] | 3. Is not vulnerable <u>designed to be resilient</u> to the natural hazard; |
| [...] | |

958. I recommend that the submissions from KLP [59.12] be **accepted**.
959. I recommend that the submissions from Transpower New Zealand Ltd [60.46] and the Telcos [51.26] be **rejected**.
960. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.17 Rules

961. The amendments sought by Forest and Bird relating to setbacks from SNAs and natural wetlands, and effects on indigenous biodiversity are addressed in section 3.8 above.

¹³ I note that there are no overlays relating to CL - Contaminated Land or HAZ - Hazardous Substances chapters, which is why only the Natural Hazard overlays sit under this heading.

Clarification of the relationship of the rule to RSI and/or to other infrastructure is addressed in section 3.3 above.

3.17.1 Notes to Rules

3.17.1.1 Matters raised by submitters

962. The Telcos [51.33] seek that the note referring to the noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is deleted and shifted to the chapter introduction, and amendments to the wording of how the NES-TF interacts with the Plan as a minor technical correction.

963. The amendment sought to the Plan by WELL [85.23] in relation to transmission lines that are not defined by the NES-ETA is addressed in section 3.7 above.

3.17.1.2 Assessment

964. I agree with the amendments sought by the Telcos for the reasons stated by the submitter. While Radio New Zealand opposed the deletion of the note referring to the noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities, this note is not being deleted in its entirety but is sought to be shifted to the chapter introduction. I agree that the note is better located in the introduction.

3.17.1.3 Summary of recommendations

965. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the notes to the rules section as set out in Appendix A;

Note: the recommended amendments are not included here due to length.

966. I recommend that the submissions from the Telcos [51.33] be **accepted in part**.

967. I recommend that the submissions from WELL [85.23] be **accepted in part**.

3.17.2 INF-R1

3.17.2.1 Matters raised by submitters

968. Kāinga Ora [81.273] seeks deletion of the notification preclusion clause relating to public notification, for the reason that notification preclusion for a non-complying activity is not in accordance with best practice.

969. WELL [FS28.4] oppose the submission from Kāinga Ora [81.273] for the reason that retaining the non-notification clause is appropriate

3.17.2.2 Assessment

970. While the rule relates to a technical matter where information provided through submissions received following public notification is unlikely to be substantive in nature, I agree with the submitter that preclusion of notification for a non-complying activity is not in accordance with planning best practice. The normal statutory test for notification under the RMA provides a sufficient process for determining whether public notification is justified, where compliance is not achieved with the relevant standards.

3.17.2.3 Summary of recommendations

971. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R1 as set out below and in Appendix A;

| | |
|--|---|
| | <p>All zones 2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R1-1.a or INF-R1-1.b.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
|--|---|

972. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.273] be **accepted**.

3.17.3 INF-R2

3.17.3.1 Matters raised by submitters

973. Powerco Limited [83.48] seeks deletion of the rule, for the reason that it only refers to measurement, assessment and control while not containing any specific performance requirements.

3.17.3.2 Assessment

974. I agree with the submitter that the current drafting of the rule does not include any specific reference to performance requirements. While the requirement to manage and control activities in accordance with the relevant standards provides a degree of assurance that the performance requirements in the standards will be met, this should be made more explicit to enable clearer interpretation and implementation by Plan users.

975. However, I disagree with the submitter that due to this the rule should be deleted in its entirety. I note that the definition of 'construction activity' excludes any building work associated with infrastructure, and the INF-Infrastructure is intended to be implemented as a standalone chapter. The chapter should therefore contain a rule controlling the effects of noise (which includes vibration under the RMA definition).

976. I therefore consider that the rule should be amended to include wording to require that noise from construction of new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure must meet identified performance requirements in the relevant standards.

3.17.3.3 Summary of recommendations

977. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R2 as set out below and in Appendix A;

| INF-R2 | Noise from construction of new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure |
|-----------|---|
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The noise must be <u>is</u> measured, assessed, managed and controlled in accordance with <u>the requirements and meets the relevant noise limits in Tables 2 and 3</u> of <u>NZS 6803:1999 Acoustics – Construction noise</u>; and</p> <p><u>b. Vibration received by any building on any other site complies with the provisions of and is measured and assessed in accordance with</u> DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.</p> |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R2-1.a <u>or INF-R2-1.b</u>.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NOISE-P3.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |

978. I recommend that the submissions from Powerco Limited [83.48] be **accepted in part**.

3.17.4 INF-R3

3.17.4.1 Matters raised by submitters

979. Kāinga Ora [81.275] seeks deletion of the note relating to the operation of existing infrastructure, and preclusion of limited notification along with public notification, for the reasons that it is unnecessary to state that the operation of existing infrastructure may rely on existing use rights as the same can be said for any legitimately established activity.

980. Forest and Bird [225.128] seeks clarification on whether the rule relates to regionally significant and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amendments are also sought relating to setbacks from SNAs and natural wetlands, and effects on indigenous biodiversity. The reasons stated are that the standards do not include limits to effects on indigenous biodiversity outside of SCHED7 other than with respect to riparian margins, and the rule does not prevent adverse effects on wetlands or provide for the maintenance of indigenous biodiversity.

3.17.4.2 Assessment

981. The amendments sought by Forest and Bird [225.128] relating to setbacks from SNAs and natural wetlands, and effects on indigenous biodiversity are addressed in section 3.8 above. Clarification of the relationship of the rule to RSI and/or to other infrastructure is addressed in section 3.3 above.
982. In relation to the clarification sought by Forest and Bird [225.128] that the provision for maintenance and repair only applies for lawfully established infrastructure, I consider that any additional wording to address this matter is unnecessary to include within the rule. If there is unlawfully established infrastructure within Porirua, this is a matter for monitoring and compliance.
983. I do not agree with the submission from Kāinga Ora [81.275] relating to the deletion of the note relating to the operation of existing infrastructure. This note is intended to alert Plan users to the potential for ongoing requirements of any resource consents for existing infrastructure. Other plans sometimes provide for the operation of existing infrastructure within the rule framework. This can have complications where that infrastructure has ongoing requirements under relevant resource consents. As many network utility operators operate infrastructure across local authority boundaries, clarification of the Plan's relationship to operation of infrastructure is useful for these organisations. As it provides useful information, and does not form part of the rule itself, I do not see any reason to delete it.
984. In relation to the submission from Kāinga Ora [81.275] relating to preclusion of limited notification, I do not consider that this is appropriate. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be amended.

3.17.4.3 Summary of recommendations

985. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.275] and Forest and Bird [225.128] be **rejected**.

3.17.5 INF-R4

3.17.5.1 Matters raised by submitters

986. Kāinga Ora [81.276] seeks preclusion of both public and limited notification.
987. Forest and Bird [225.129] seeks clarification of whether the rule relates to RSI and/or to other infrastructure and that the rule only applies for lawfully established infrastructure. Amendments are also sought relating to setbacks from SNAs and natural wetlands, and effects on indigenous biodiversity. The reasons stated are that the standards do not include limits to effects on indigenous biodiversity outside of SCHED7 other than with respect to riparian margins, and the rule does not prevent adverse effects on wetlands or provide for the maintenance of indigenous biodiversity.

3.17.5.2 Assessment

988. In relation to the clarification sought by Forest and Bird [225.129] that the rule only applies for lawfully established infrastructure, this is addressed in relation to INF-R3 in section 3.17.4 above. I come to the same conclusion for the same reasons in relation to INF-R4.

989. In relation to the submission from Kāinga Ora [81.276] relating to preclusion of limited notification, I do not consider that this is appropriate. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be amended.

3.17.5.3 Summary of recommendations

990. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.276] and Forest and Bird [225.129] be **rejected**.

3.17.6 INF-R5

3.17.6.1 Matters raised by submitters

991. Forest and Bird [225.130] seeks deletion of the notification preclusion.
992. Queen Elizabeth the Second National Trust [216.47] seeks that INF-R5-7 be amended to refer to the ECO-Ecosystems and Indigenous Biodiversity chapter and indicate that some works in wetlands may be non-complying.
993. Kāinga Ora [81.277] seeks deletion of the note relating to the operation of existing infrastructure, for the reasons that it is unnecessary to state that the operation of existing infrastructure may rely on existing use rights as the same can be said for any legitimately established activity.
994. Waka Kotahi NZ Transport Agency [82.61] seeks amendments to INF-R5-2 and INF-R5-7 to make works involving infrastructure located within a wetland within an area identified in SCHED7-Significant Natural Area, that are required for the ongoing safety and efficiency of the of the transport network, a restricted discretionary activity, and an additional matter of discretion for INF-R5-2 relating to the operational and functional needs of the infrastructure.

3.17.6.2 Assessment

995. I disagree with the submission from Forest and Bird [225.130] in relation to the notification preclusion. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be deleted.
996. In relation to the submission from the Queen Elizabeth the Second National Trust [216.47] in relation to reference to the ECO-Ecosystems and Indigenous Biodiversity chapter, I do not consider that this is appropriate. As noted in the chapter's introduction, the INF-Infrastructure chapter is intended to be a standalone chapter. The chapter refers to relevant provisions in other chapters where appropriate.
997. In relation to the deletion sought by Kāinga Ora [81.277] of the note relating to existing infrastructure, this is addressed in relation to INF-R3 in section 3.17.4 above. I come to the same conclusion for the same reasons on this matter in relation to INF-R5.
998. The amendments sought by Waka Kotahi NZ Transport Agency [82.61] to INF-R5-2 and INF-R5-7 are addressed in section 3.8.2 above.
999. In relation to the additional matter of discretion for INF-R5-2 relating to the operational and functional needs of the infrastructure sought by Waka Kotahi NZ Transport Agency [82.61], the

operational or functional needs of the infrastructure is already included as a matter of discretion for the standards under this rule, and therefore an additional matter is not required.

3.17.6.3 *Summary of recommendations*

1000. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.130], Queen Elizabeth the Second National Trust [216.47], Kāinga Ora [81.277] and Waka Kotahi NZ Transport Agency [82.61] be **rejected**.

3.17.7 **INF-R6**

3.17.7.1 *Matters raised by submitters*

1001. Powerco Limited [83.52 and 83.67] seeks that additional clauses be added to INF-R6 to provide for upgrade and replacement of gas lines, regulators, meters, valves or meter covers, and to INF-S2 to provide for gas meter covers where they does not increase in size by more the 30 percent, for the reason that an ability to replace and upgrade existing customer connections installed on the side of buildings is needed.

1002. Waka Kotahi NZ Transport Agency [82.62] seeks that an additional rule clause providing for transport network infrastructure within the overlays addressed by INF-R6 as a restricted discretionary activity, with matters of discretion restricted to the operational and functional needs of the infrastructure. The reasons given relate to infrastructure located within SCHED6-Sites and Areas of Significance to Māori, for which the submitter considers that a discretionary activity status is too restrictive as it unduly restricts upgrades that are part of the ongoing safety and function of the transport network.

3.17.7.2 *Assessment*

1003. In relation to the submissions from Powerco Limited [83.52 and 83.67], the amendments sought to INF-S2 have been included in this assessment due to the integrated nature of the provisions and amendments sought.

1004. I note that the protection of historic heritage from inappropriate subdivision, use, and development, and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, are matters of national importance under section 6 of the RMA.

1005. INF-R6 covers a wide range of sites, items, settings and areas. The upgrading of infrastructure, including transport network infrastructure, can have a wide range of potential adverse effects on these sites, items, settings and areas, particularly where there is an increase in the footprint of the infrastructure.

1006. Including provision for specific infrastructure, such as sought by Powerco Limited [83.52 and 83.67], or more widely for smaller infrastructure upgrades within these sites, items, settings and areas with a lower order activity status, and which addresses all of the potential adverse effects, while theoretically achievable, would result in a significantly more complicated rule and standard framework. I do not consider that this would assist in providing a more efficient or effective plan framework, particularly as there are a relatively limited number of items, sites and areas listed in schedules 2, 3 and 6 of the Plan.

1007. Specifically in relation to the upgrading of a gas line, regulator, meter, valve or meter cover, these works may have significant adverse effects on the historic heritage values of buildings, depending on the placement, visibility and integration of these structures. Earthworks associated with such upgrades also may also significantly adversely affect archaeological sites or sites of significance to Māori.
1008. I note that maintenance and repair of infrastructure on these items, sites or areas is provided for under INF-R5. This enables works necessary to continue the operation and / or functioning of existing infrastructure.
1009. In relation to the submission from Waka Kotahi NZ Transport Agency [82.62], I consider that the request for a restricted discretionary activity status is not appropriate, particularly the restriction of discretion to only the operational and functional needs of the infrastructure. This would not cover any of the potential adverse effects on the sites, items, settings and areas that are to be protected through the requirement for resource consent. I also note that the submitter's assets within Porirua are designated, and therefore the benefits of such provisions would be limited, as upgrades can occur within those designations without requiring resource consent.

3.17.7.3 Summary of recommendations

1010. I recommend for the reasons given in the assessment, that the submissions from Powerco Limited [83.52 and 83.67] and Waka Kotahi NZ Transport Agency [82.62] be **rejected**.

3.17.8 INF-R8

3.17.8.1 Matters raised by submitters

1011. Powerco Limited [83.54] opposes the rule and seeks that it is amended to provide for increases in the footprint of an infrastructure structure within hazard areas by up to the lesser of 10 square metres or 50 percent, for the reason that increases in footprint could occur without impacting on risks from hazards.

3.17.8.2 Assessment

1012. I agree with the submitter that some small increases in the footprint of structures can occur without impacting on the risks from natural hazards within Low Hazard Areas within the Flood Hazard and Coastal Hazard overlays.
1013. However, I do not consider that increases in the footprint of above ground infrastructure within Medium and High Hazard areas is appropriate. Within the Flood Hazard Overlays these relate to the Overland Flow and Stream Corridor overlays, respectively, and the Current and Future Inundation and Erosion areas of the Coastal Hazard Overlay. Larger infrastructure footprints within these areas therefore present a potential for adverse impacts on the hazard risk including on surrounding land use (particularly in relation to flood risk through diversion and displacement) and on the infrastructure itself (in relation to the coastal hazard overlays).
1014. I agree that the limitation of additions to the footprint of structure to 10 square metres is appropriate within the Low Hazard Areas within the Flood Hazard and Coastal Hazard overlays. Additionally, I do not consider that the risk from additions to structure footprints with the Fault Rupture Zones requires consideration through a resource consent process.

3.17.8.3 *Summary of recommendations*

1015. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R8 as set out in Appendix A;

Note: The recommended amendments are not included here due to length.

1016. I recommend that the submissions from Powerco Limited [83.54] be **accepted in part**.

3.17.9 **INF-R13**

3.17.9.1 *Matters raised by submitters*

1017. Powerco Limited [83.56] seeks that the rule heading be amended to refer to infrastructure both within and on existing buildings to permit infrastructure located on buildings, for the reasons that gas distribution infrastructure associated with customer connections is often installed on the exterior of buildings.

3.17.9.2 *Assessment*

1018. INF-R13 is specific to infrastructure within buildings, with the only standard being the relevant noise rules for the underlying zone. This is because any adverse effects of the infrastructure, other than noise, will be contained within the building.

1019. Permitting infrastructure on buildings through this rule would require additional standards to be included within the rule. The submitter has not sought amendments to the applicable standards to enable this to occur.

1020. Additionally, there are already standards for specific infrastructure attached to buildings, such as antenna.

3.17.9.3 *Summary of recommendations*

1021. I recommend for the reasons given in the assessment, that the submissions from Powerco Limited [83.56] be **rejected**.

3.17.10 **INF-R15**

3.17.10.1 *Matters raised by submitters*

1022. Kāinga Ora [81.287] seeks the notification preclusion statement also preclude limited notification. No specific reasons are given.

1023. Firstgas Limited [84.19] seeks that the rule heading be amended so that gas transmission pipelines are not excluded, for the reason that there is minimal difference in the construction of a low or high pressure pipeline.

3.17.10.2 *Assessment*

1024. In relation to the submission from Kāinga Ora [81.287] relating to preclusion of limited notification, I do not consider that this is appropriate. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be amended.

1025. I disagree with the submission from Firstgas Limited [84.19] as the gas transmission network, including pipelines, is subject to separate rules as a restricted discretionary activity. This is discussed in section 3.9.3 above.

3.17.10.3 Summary of recommendations

1026. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.287] and Firstgas Limited [84.19] be **rejected**.

3.17.11 INF-R19

3.17.11.1 Matters raised by submitters

1027. Kāinga Ora [81.291] seeks the notification preclusion statement also preclude limited notification. No specific reasons are given.

3.17.11.2 Assessment

1028. I do not consider that the submission from Kāinga Ora [81.291] is appropriate. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be amended.

3.17.11.3 Summary of recommendations

1029. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.291] be **rejected**.

3.17.12 INF-R24

3.17.12.1 Matters raised by submitters

1030. Kāinga Ora [81.296] seeks that the notification preclusion statement be amended to preclude both public and limited notification, excluding the road controlling authority, for the reason to more clearly reflect the intended preclusion from both public and limited notification.

3.17.12.2 Assessment

1031. I do not consider that the submission from Kāinga Ora [81.296] is appropriate. The intention of the notification preclusion statement was not to preclude limited notification, but to signal that road controlling authorities will likely be notified if the standards were not met. This matter is addressed in Appendix G of the Section 32 Evaluation Report Part 2 – Infrastructure. I agree with that analysis, and as such do not consider that the notification preclusion statement should be amended.

3.17.12.3 Summary of recommendations

1032. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.296] be **rejected**.

3.17.13 INF-R25

3.17.13.1 Matters raised by submitters

1033. Kāinga Ora [81.297] seeks that the non-notification clause of INF-R25-2 is amended to more clearly reflect the intended preclusion from both public and limited notification and also seeks deletion of the non-notification clauses for non-complying activities, stating that this does not accord with best practice.

1034. Firstgas Limited [84.20] seeks a note stating that the rule does not apply to the owners and occupiers of the National Grid Yard and Gas Transmission Pipeline Corridor.

1035. I note that the submissions relating to the National Grid are addressed in 3.6.6 above.

3.17.13.2 Assessment

1036. I agree with the intention of the amendment sought by Firstgas Limited [84.20], as this provides clarification that the infrastructure providers will not have to seek resource consents to undertake works within the relevant overlays protecting their infrastructure (noting that the requirements of all other overlays will still apply). However, I consider that the note can be clarified further, to relate specifically to the infrastructure providers and their relevant infrastructure.

1037. In relation to the submission from Kāinga Ora [81.297], while INF-R25-3 relates to a technical matter where information provided through submissions received following public notification is unlikely to be substantive in nature, I agree with the submitter that preclusion of notification for a non-complying activity is not in this instance in accordance with planning best practice. The normal statutory test for notification under the RMA provides a sufficient process for determining whether public notification is justified, where compliance is not achieved with the relevant standards.

1038. However, I do not agree with Kāinga Ora [81.297] in respect of INF-R25-2, as the current drafting of the notification preclusion aligns with the standard wording in the Plan, and do not consider that there is any reason to deviate from this wording.

3.17.13.3 Summary of recommendations

1039. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-R25 as set out below and in Appendix A;

| INF-R25 | Infrastructure and the operation, maintenance and repair, upgrading and removal of existing infrastructure and associated earthworks in the National Grid Yard and Gas Transmission Pipeline Corridor |
|-----------|---|
| All zones | <p>1. Activity status: Permitted [...] Notes:</p> <p><u>1.</u> To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</p> <p><u>2. This rule does not apply to:</u></p> <p style="padding-left: 20px;"><u>a. Transpower in respect of activities within the National Grid Yard; or</u></p> |

| | |
|-------|--|
| | <u>b. The owner and operator of the gas transmission network in respect of activities within the Gas Transmission Pipeline Corridor.</u> ¹⁴ |
| [...] | <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.a or INF-R25-1.b.</p> <p>Notification:</p> <ul style="list-style-type: none"> • An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. • When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.¹⁵ |

1040. I recommend that the submissions from Kāinga Ora [81.297] and Firstgas Limited [84.20] be **accepted in part.**

3.17.14 INF-R40

3.17.14.1 Matters raised by submitters

1041. Powerco Limited [83.63] opposes the rule and seeks that the rule be amended so that upgrades that have no or very little potential impact on Notable Trees are permitted.

3.17.14.2 Assessment

1042. I agree with the submitter that there may be instances where upgrading of infrastructure will have no or very little impact on notable trees, even where works occur within the root protection area of a tree identified in SCHED5 - Notable Trees. Standard INF-S19 includes requirements to ensure that any adverse effects or works within the root protection area of a tree identified in SCHED5 - Notable Trees will be acceptable.

1043. Additionally, providing for these upgrades as a permitted activity is consistent with policy INF-P18, which includes enabling upgrading of infrastructure.

1044. I therefore consider that a permitted activity rule for upgrading works where standard INF-S19 can be met is appropriate and should be included in the Plan.

3.17.14.3 Summary of recommendations

1045. I recommend for the reasons given in the assessment, that the Hearings Panel:

¹⁴ Firstgas [84.20]

¹⁵ Kāinga Ora [81.297]

- a. **Amend** INF-R40 as set out in Appendix A;
- b. Make a consequential amendment to the chapter to include a new rule to reflect the outcomes sought to enable upgrading of infrastructure which will have no or minor effects on notable trees, and renumbering of the rules;

Note: the recommended amendments are not included her due to length.

1046. I recommend that the submissions from Powerco Limited [83.63] be **accepted in part**.

3.18 Standards

3.18.1 INF-S1

3.18.1.1 *Matters raised by submitters*

1047. The Telcos [51.39 and 51.57] seeks refinement of clause 3 by deleting the exception and including this within the main body of the standard, and removal of the dates and 'telecommunication pole' from the standard to allow for any infrastructure which is constructed over the life of the plan to be subsequently upgraded as and when new technologies are introduced, and to align with the definition sought for pole.

1048. WELL seeks that:

- [85.24] Clause four be amended to delete 'at its widest point' and insert 'or alternatively 4.2m as taken from the pole centres' for the reason that network designers apply a number of variables in regard to support structures to achieve the most effective, safe and secure outcomes from an operational perspective, in some cases a width greater than three times the single pole width is required, and the standard pi pole designs have pole centres at 2.4, 3.0, or 4.2 metres;
- [85.25] Clause six be amended to refer to single replacement conductors, for clarity;
- [85.27] Clause nine be amended to remove the limit of two additional poles, and refer only to the number necessary to achieve NZCEP 34:2001 compliance, for the reason that this is an arbitrary restriction; and
- [85.28] Clause 10 be amended to insert 'on a single pole structure' for clarity, noting that the longest cross arm used on a single pole would be 3.6 metres.

1049. Powerco Limited [83.66] seeks that INF-S1-12 be amended to exclude underground gas infrastructure. No specific reasons are given.

3.18.1.2 *Assessment*

1050. I agree with the submission from the Telcos [51.39] in as far as the wording of INF-S1-3 could be simplified. I consider that the standard should be simplified to state that the height of the replacement pole or tower or telecommunication pole must not exceed the one it is replacing, or the height specified for new structures in INF-S3, whichever is greater. This provides much greater clarity for plan users. This would allow for existing structures taller than the maximum height specified in INF-S3 to be replaced with a structure of the same size, or for existing structures to be increased to the permitted height for new structures. I consider that this

provides an efficient and effective standard and provides greater alignment between the standard for upgrading and the standard for new structures.

1051. In relation to the submission from the Telcos [51.57] regarding the removal of the dates specifying when certain standard clauses are to be assessed against the dimensions set out in the standards, I do not agree with the requested amendments. These dates provide an important function through avoiding cumulative effects. In tying the allowable increase in size to the date of the notification of the Plan, it ensures that any upgrades will not have significantly more effects on the surrounding environment compared to the current existing infrastructure. By removing these dates, upgrades may occur multiple times, with each upgrade being able to be used to increase the size of the relevant structure. In relation to the submitter's reasons that deletion of the dates would allow for any infrastructure which is constructed over the life of the plan to be subsequently upgraded, I consider this to be relatively unlikely, given the 10 year review period for the Plan under the RMA and the investment required for the establishment of new infrastructure.
1052. In relation to the submission from the Telcos [51.57] regarding the removal of the reference to 'telecommunication pole', consistent with the discussion on the definition of 'pole' and 'telecommunication pole' in section 3.12 above, I do not agree that the standard can be simplified to refer only to 'poles' or that the references to 'telecommunication poles' can be deleted.
1053. I disagree with the submission from WELL [85.24]. The permitted upgrading standards are intended to enable infrastructure upgrades where the additional adverse effects will be acceptable when compared to the existing situation. While replacement of a pole with a pi pole wider than three times the existing pole may be acceptable in some situations, INF-S1 applies to all zones and a wider pi pole is unlikely to be acceptable in residential zones. As such, I consider that the standard as drafted in the proposed Plan provides acceptable flexibility, while ensuring that the adverse effects will not be unacceptable.
1054. In relation to the submission from WELL [85.25], while I agree that the standard should be amended to clarify whether it applies to single or bundled lines or conductors, I do not consider that the amendment sought is appropriate, as the standard should apply to both single and bundled lines, as the visual and amenity effects of bundled conductors or lines will increase when compared to a single line. I therefore consider that the standard should be amended to clarify that the standard relates to singular or bundled replacement conductors or lines.
1055. In relation to the submission from WELL [85.27], I do not consider the requested amendments sought to be appropriate. Additional poles may have adverse effects. While the achievement of the clearances required by NZECP 34:2001 is necessary, there should be a threshold set at which the addition of poles will have unacceptable adverse effects, and resource consent will need to be obtained. The submitter has not provided any assessment or evidence of what that threshold should be. I consider that the threshold of two additional poles as set in the proposed Plan provides an appropriate allowance, while ensuring that any potentially unacceptable adverse effects will be assessed through a resource consent process.
1056. In relation to the submission from WELL [85.28], I agree that INF-S1-10 should differentiate between single pole structures and pi pole structures. This provides clarity to Plan users and will increase effectiveness and efficiency of the Plan implementation and interpretation.

1057. In relation to the submission from Powerco Limited [83.66] I do not agree that the standard should exclude underground gas infrastructure. No evidence as to why this exclusion should be included has been given. The wording sought by the submitter also does not specify whether the exclusion would apply to gas transmission or distribution pipelines, or both. I consider that the five-metre limit provides sufficient scope for any upgrade works. Where any underground gas infrastructure is required to be located farther than five metres from the existing alignment, this should be considered as new infrastructure under the relevant rule. I note that if the location is outside of an overlay, the relevant rule would be INF-R15 which provides for new underground infrastructure other than gas transmission pipelines and transmissions lines over 110kV as a permitted activity where the relevant standards are met.

3.18.1.3 Summary of recommendations

1058. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. Amend INF-S1 as set out below and in Appendix A;

| INF-S1 | Upgrading | |
|-----------|---|--|
| All zones | <p>[...]</p> <p>3. The height of a replacement pole, tower or telecommunication pole must not exceed whichever is the <u>greater of lesser of:</u></p> <ul style="list-style-type: none"> a. 25m; or <u>The relevant maximum height in INF-S3; or</u> b. The height of the replaced pole or tower or telecommunication pole as of 28 August 2020 plus 30%; <p>Except that, if the existing pole, tower or telecommunication pole is greater than 25m in height, the height of the replacement pole, tower or telecommunication pole must be no higher than the existing pole, tower or telecommunication pole.</p> <p>6. The diameter of a replacement conductor or line, <u>either singular or bundled,</u> must not exceed the diameter of the replaced conductor or line or 50mm, whichever is the greater.</p> <p>[...]</p> <p>10. Additional cross arms <u>on a single pole support structure</u> must not exceed the length of the existing cross arm as of 28 August 2020 by more than 100%, up to a maximum of 4m.</p> <p>[...]</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the |

| | | |
|--|--|---------------------------------------|
| | | permitted standard impractical. |
|--|--|---------------------------------------|

1059. I recommend that the submissions from the Telcos [51.39 and 51.57] and WELL [85.25 and 85.28] be **accepted in part**.

1060. I recommend that the submissions from WELL [85.24 and 85.27] and Powerco Limited [83.66] be **rejected**.

3.18.2 INF-S7

3.18.2.1 Matters raised by submitters

1061. The Telcos [51.56] seek amendments to the maximum areas of panel antennas, and inclusion of wording to provide clarification that they apply to the largest face of any panel.

3.18.2.2 Assessment

1062. A maximum area of 1.5 square metres for panel antennas is consistent with the NES-TF. I therefore consider that the amendments sought to 2.b and 3.b to allow a maximum area for panel antennas of 1.5 square metres within the Commercial and Mixed Use zones, Rural zones, Future Urban Zones, Māori Purpose Zone (Hongoeka), Hospital Zone, and Special Purpose Zone (BRANZ) are therefore acceptable.

1063. However, under the NES-TF regulation 37(4)(b), within residential zones antenna are to be mounted more than 15 metres above the ground. The size requirements for antenna below this point should therefore be set in the Plan to protect the amenity values in the Residential Zones. The size requirements in the Plan for antenna mounted less than 15 metres above the ground are consistent with the ODP. I consider that the requested increase to 1.2 square metres would therefore not be acceptable.

1064. Similarly, the size limits for antenna attached to buildings within the Open Space and Recreation Zones are consistent with the ODP. I consider that increasing the maximum panel antenna area to 1.5 square metres within these zones would not be acceptable due to the higher amenity values associated with these areas.

1065. The submitter also seeks that the clauses include, 'of any panel (largest face)' to clarify the measurement of the area of panel antennas. I agree that the current wording is slightly ambiguous and should be clarified. I note that other plans refer to the face area for the measurement of panel antennas. I do not consider that referring to the area 'of any panel (largest face)' is acceptable, as this has the hypothetical potential to result in the proliferation of panels, where each one does not breach the set area limit. Therefore, I consider that the Plan should refer to the face area of panel antennas, as this will increase certainty for Plan users.

3.18.2.3 Summary of recommendations

1066. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S7 as set out in Appendix A;

Note: the recommended amendments are not included here due to length.

1067. I recommend that the submissions from the Telcos [51.56] be **accepted in part**.

3.18.3 INF-S8

3.18.3.1 Matters raised by submitters

1068. Powerco Limited [83.68] seeks an increase in the maximum area and height provided for in the standard, for the reason that the limits are too restrictive to allow for the range of above ground structures that are typically encountered within the road corridor.

1069. WELL [85.29] seeks an increase in the maximum area in clause two from two to five square metres, and an additional clause providing for temporary electricity generators and self-contained power units to supply existing infrastructure with a maximum area of 20 square metres. The reasons given are that the maximum area is too small to contain a temporary generator.

1070. I note that the submissions from KiwiRail [86.42] and Kāinga Ora [81.325] are addressed in section 3.5.3 above.

3.18.3.2 Assessment

1071. The limits set out in INF-S8 are consistent with the NES-TF, and the ODP standards. Maintaining consistency with these provides a simpler planning framework that aids interpretation and implementation.

1072. Additionally, larger structures located within the road reserve may affect the visibility of motorists, and therefore the safety of the transport network. The submitters have not provided evidence of their functional and operational needs in terms of providing for common cabinet sizes within the road reserve, or how the potential adverse effects of larger sizes would be avoided or mitigated.

1073. Therefore, I consider that the larger area and greater height maximums sought by the submitters are not appropriate.

3.18.3.3 Summary of recommendations

1074. I recommend for the reasons given in the assessment, that the submissions from Powerco Limited [83.68] and WELL [85.29] be **rejected**.

3.18.4 INF-S9

3.18.4.1 Matters raised by submitters

1075. WELL [85.30] seeks that the area under INF-S10-2 be increased to 20 square metres, for the reason that 15 square metres is too small to contain a temporary generator.

1076. I note that the submission from Kāinga Ora [81.326] is addressed in section 3.5.3 above.

3.18.4.2 Assessment

1077. WELL [85.30] does not provide any evidence of the size of temporary generators required to meet the required specifications for their functions. The submitter may wish to provide this at the hearing.

1078. A 15 square metre area comfortably provides for a standard 20-foot container sized generator. I consider that any temporary structures larger than this may have a range of adverse effects on the environment that may be unacceptable. As such, I do not agree, based on the information provided, that amendment of the standard would be appropriate.

3.18.4.3 Summary of recommendations

1079. I recommend for the reasons given in the assessment, that the submission from WELL [85.30] be **rejected**.

3.18.5 INF-S11

3.18.5.1 Matters raised by submitters

1080. Powerco Limited [83.70] seeks that the standard be amended to exclude infrastructure located underground, for the reason that it is unreasonable, particularly for underground infrastructure.

3.18.5.2 Assessment

1081. Under INF-R15, underground infrastructure outside of overlays does not need to comply with INF-S11. Additionally, infrastructure located within road reserve or rail corridors, or which crosses a river along a bridge or other structure, does not need to comply with the setback. I consider that this sufficiently provides for underground infrastructure without the need to amend INF-S11.

3.18.5.3 Summary of recommendations

1082. I recommend for the reasons given in the assessment, that the submission from Powerco Limited [83.70] be **rejected**.

3.18.6 INF-S13

3.18.6.1 Matters raised by submitters

1083. The Telcos [51.43] seek that the standard be amended to exclude road boundaries, for the reasons that in some situations, cabinets are located within private property to reduce effects on the road corridor and the two metre setback from the road reserve would not be appropriate.

1084. Firstgas Limited [84.33 and 84.40] seeks that the setback for cabinets be removed. No specific reasons are given.

1085. Powerco Limited [83.71] seeks that the requirement for a two metre setback from any site boundary be amended to only apply to boundaries that adjoin a sensitive activity, and not apply where the infrastructure is 'adequately screened from view', underground, or adjacent to a road boundary.

3.18.6.2 Assessment

1086. I disagree with the submissions from the Telcos [51.43], Firstgas Limited [84.33] and Powerco Limited [83.71] in relation to setbacks from road boundaries. The setback standard relates to a range of structures located outside of road and rail corridors.
1087. There are no setback requirements from boundaries for similar structures where they are located within the road or rail corridors. However, there are standards relating to the height and area of the structure. These standards ensure they are relatively small and unobtrusive. The comparable standard for structures outside of the road or rail corridors allows for much larger structures, for example under INF-S9 these structures can be up to four metres high and 15 square metres in area.
1088. As such, if there were to be no setback requirements from road boundaries, there is the potential for adverse effects on the amenity of the surrounding area to be generated through the construction of relatively large structures on the road boundary. This would be of particular concern where the structures involve large blank walls. In such situations, a setback of two metres is appropriate as this allows for landscape planting to be incorporated.
1089. Specifically, in relation to the submissions from Firstgas Limited [84.33 and 84.40], no reasons are given, and as such, given the assessment above, I do not consider that the decision requested is appropriate.
1090. In relation to the submission from Powerco Limited [83.71], I consider that the amended wording sought is not appropriate as it relates to sensitive activities, as there may be other activities where adverse effects may be generated due to the location of the structures, for example along road boundaries as discussed above. Additionally, the wording 'unless it is adequately screened from view' introduces significant ambiguity and subjectivity which is not appropriate within a standard.
1091. However, I do agree that, while underground infrastructure outside of overlays is managed by INF-R15 which does not require compliance with INF-S13, clarification that the standard applies to aboveground infrastructure is appropriate as this would assist with Plan interpretation and implementation. This can be achieved through additional wording in the heading of the standard.

3.18.6.3 Summary of recommendations

1092. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. Amend INF-S13 as set out below and in Appendix A;

INF-S13 **Setbacks – Cabinets, electric vehicle charging stations and temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, meteorological enclosures and buildings and any other infrastructure structure or building located above ground not otherwise listed, which is not located within the road reserve or rail corridor**

1093. I recommend that the submission from Powerco Limited [83.71] be **accepted in part**.

1094. I recommend that the submissions from the Telcos [51.43] and Firstgas Limited [84.33] be **rejected**.

3.18.7 INF-S14

3.18.7.1 Matters raised by submitters

1095. The Telcos [51.61] seek that clause four be amended to allow earthworks within one metre of a boundary to be up to 1.5 metres deep, for the reason that there would not be any different environmental effects.

1096. Powerco Limited [83.72, 83.73, 83.74, 83.75 and 83.76] seeks that clauses two, three and four be amended to include directional drilling and augured holes, remove the limitation to underground infrastructure of the exemption for trenching, and allow earthworks within one metre of a boundary to be up to 1.5 metres deep. The reasons given include that holes drilled by augur are sometimes used to install protection systems associated with gas pipelines, and trenching may need to exceed 1m in depth to avoid other infrastructure or obstacles.

1097. WELL [85.31] seeks that WELL is included in the exclusion for works undertaken to achieve the ground to conductor clearance required by NZECP34:2001, for the reasons that it is equally applicable to the submitter's operations.

1098. Kāinga Ora [81.331] seeks deletion of clause four for the reason that horizontal infrastructure crosses boundaries and the trenching required will exceed one metre in depth, with industry standards and health and safety legislative requirements adequately managing any adverse effects associated with the stability of trenchworks. The insertion of 'roads' in the exclusion section of INF-S14 for any earthworks associated with any maintenance and repair works of roads within road reserves, and an increase in the cut height/fill depth to 2.5 metres is also sought, with no associated reasons provided.

3.18.7.2 Assessment

1099. The one metre depth limit for trenching within one metre of a boundary was included in the Plan as a pragmatic allowance for trenching for infrastructure taking into account the likely cover depths required for reticulated networks, recognising that infrastructure may be required to be located in close proximity to site boundaries due to topography or other constraints, and trenching is a temporary activity with limited adverse effects. However, I disagree with the assertion from the Telcos that the additional depth would not have any additional environmental effects, as there may be effects in relation to the stability of the excavation, particularly if the excavation is in proximity of buildings or other surcharge loads such as trafficked areas.

1100. However, I agree in part with Telcos [51.61], Powerco [83.74] and Kāinga Ora [81.331] in relation to clause four. Trenching which crosses cadastral boundaries should not be restricted where the adjoining sites are both within the wider works area. In these situations, I consider that processes outside of the RMA will be sufficient to protect any structures or other property on those sites. In situations where trenching occurs parallel to cadastral boundaries; however, I consider that there is a need to protect buildings and structures on adjacent sites. Therefore, I recommend a depth of 1.5 metres and an additional requirement to not be undertaken within 1.5 metres of the foundations of a building or structure.

1101. Powerco Limited [83.72 and 83.73] also sought to amend the standard so that trenching for aboveground infrastructure would also be enabled. This matter is discussed in more detail in section 3.12.7 above in relation to the definition of 'trenching'. As discussed in that section, I agree that trenching for infrastructure more generally should be enabled, where land disturbed by the trench is reinstated upon completion. As such, associated amendments to the definition of 'trenching' are recommended in the section above. Consistent with that discussion and recommendation, I also agree that the INF-S15-1 should be amended to delete the word 'underground' from the relevant clauses of the standard.
1102. Similarly, I agree with Powerco Limited [83.72, 83.73 and 83.75] that it should be made clear that earthworks associated with augured holes and directional drilling are not to be subject to the limits for cut depth or setbacks from boundaries or rivers. This matter is similar to that discussed in the EW-Earthworks officer's report in relation to bores. I consider that incorporating appropriate exclusions for these methodologies is appropriate as these methodologies have been developed to minimise disturbance of land, and the consequential environmental effects.
1103. In relation to the submission from Powerco Limited [83.76] to include an exemption for 'minor earthworks', I refer to the discussion in the officer's report for the EW-earthworks chapter relating to the definition of 'minor earthworks'. That report recommends that the definition be deleted. Therefore, I do not consider that the exclusion to INF-S14 should include 'minor earthworks'.
1104. In relation to the submission from WELL [85.31] the exemption relating to NZECP34:2001 gives effect to polices 2, 3 and 5 of the NPS-ET. Earthworks undertaken by Transpower will be subject to the NES-ETA regulations, which include regulations relating to earthworks. As WELL would not be subject to these regulations, I do not consider that the exemption should be extended to WELL.
1105. Consistent with the recommendation in the officer's report for the EW-Earthworks chapter, I disagree with the amendment sought by Kāinga Ora [81.331] to clause INF-S14-2 to increase the maximum cut and fill height to 2.5 metres. The 1.5 metre limit was considered by qualified geotechnical engineers as part of the preparation of the proposed Plan.¹⁶ The submitter has not provided any evidence to support the decision sought for increasing the permitted cut depth or fill height limit in relation to the actual or potential effects of the changes, either positive or adverse.
1106. In relation to the submission from Kāinga Ora [81.331] to include roads within the exemption for earthworks associated with maintenance and repair works for walkways, cycleways and shared paths within road reserves, I agree that this exclusion should be included as any maintenance and repair works for roads will be unlikely to have any adverse effects in relation to earthworks, where these occur within the formed road width. This will also enable efficient maintenance and repair activities in relation to the transport network, which is critical to the efficient and effective functioning of the City and the wellbeing of people and communities. The

¹⁶ See the supporting evidence:

Miyamoto, 2019, Porirua City Council Proposed Permitted Activity Standards; and
Miyamoto, 2019, Supplementary Review of Porirua City Council (PCC) Proposed Permitted Activity Standards

definition included in the Plan for 'maintenance and repair' is relatively broad. However, by including the wording 'within the formed road width' in the exclusion, this will ensure that the road itself is not widened as part of any 'maintenance and repair' works, as this may have potential adverse effects through earthworks activities.

3.18.7.3 Summary of recommendations

1107. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S14 as set out in Appendix A;

Note: the recommended amendments are not included here due to length.

1108. I recommend that the submissions from the Telcos [51.61], Powerco Limited [83.72, 83.73 and 83.74] and Kāinga Ora [81.331] be **accepted in part**.

1109. I recommend that the submission from WELL [85.31] be **rejected**.

1110. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.18.8 INF-S15

3.18.8.1 Matters raised by submitters

1111. Powerco Limited [83.77] seeks amendments to clause one to include directional drilling and augured holes as methods of land disturbance to which not area limits apply, and to delete the word 'underground' from the clause to remove the limitation to underground infrastructure. Not specific reasons are given to explain these outcomes sought.

1112. Kāinga Ora [81.332] seeks that the zones addressed by clause five are incorporated into clause six, increasing the permitted earthworks extent from 400 to 500 square metres for those zones. The reasons given are to simplify the standards relating to the area of disturbance enabled in each zone.

1113. The Telcos [51.60] seek to increase the limit on earthworks area in clause four from 1,000 to 2,500 square metres, for the reasons that this would be in line with other plans and would allow tracks that are used to service infrastructure to be upgraded.

3.18.8.2 Assessment

1114. In relation to the submission from Powerco Limited [83.77], I do not consider that the standard requires amendment to exclude directional drilling or augured holes from the earthworks extent standards. The extent of land disturbance for directional drilling and augured holes is relatively small, and therefore unlikely to result in a need for resource consent for a project that would otherwise meet the standards. Indeed, one of the main benefits of directional drilling, specifically horizontal directional drilling, over other methods is the small entry and reception pits required. I therefore do not consider that excluding directional drilling and augured holes would provide any benefit for the implementation of the standard.

1115. Powerco Limited [83.77] also sought to amend the standard so that trenching for aboveground infrastructure would also be excluded from the earthworks area limits. This matter is discussed in more detail in section 3.12.7 above in relation to the definition of 'trenching'. As discussed in

that section, I agree that trenching for infrastructure more generally should be enabled, where land disturbed by the trench is reinstated upon completion, with associated amendments to the definition of 'trenching' are recommended in the section above. Consistent with that discussion and recommendation, I also agree that the INF-S15-1 should be amended to delete the word 'underground'.

1116. In relation to the submission from Kāinga Ora [81.332], as noted by the submitter a similar submission was made on EW-S1 in the EW-Earthworks chapter. Consistent with and for the same reasons as stated in the assessment and recommendations contained in the officer's report on the submissions on the EW-Earthworks chapter, I do not consider that the requested amendment from Kāinga Ora [81.332] is appropriate.

1117. In relation to the submission from the Telcos [51.60], while I recognise that the Auckland Unitary Plan provides for earthworks up to 2,500 square metres¹⁷, the 1,000 square metre limit included in the Plan is consistent with the EW-Earthworks chapter, as well as the NU Network Utilities chapter in the ODP which was made operative in 2016. I consider that the earthworks area threshold should be consistent within the Plan, as there is no evidence provided that a larger area would be acceptable. I also note that, in relation to electricity transmission activities, the NES-ETA sets a limit for earthworks related to access tracks to 100 cubic metres per access track per year. I consider that, comparatively, the 1,000 square metre per site per 12 month period is relatively permissive.

3.18.8.3 Summary of recommendations

1118. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S15 as set out below and in Appendix A;

| INF-S15 | Earthworks – Area limit in a 12 month period per site, excluding the road reserve and rail corridor | |
|------------------|---|---|
| All zones | 1. No area limits apply to earthworks required for trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure where the trenching: [...] | Matters of discretion are restricted to: [...] |

1119. I recommend that the submissions from Powerco Limited [83.77] be **accepted in part**.

1120. I recommend that the submissions from the Telcos [51.60] and Kāinga Ora [81.332] be **rejected**.

¹⁷ See Table E26.5.3.1 in chapter E26 Infrastructure

3.18.9 INF-S16

3.18.9.1 Matters raised by submitters

1121. The Telcos [51.59] seek an amendment to the standard to include provision for other land disturbance methods such as direction drilling. No specific reasons for provision for these methods are provided.

1122. Powerco Limited [83.78] seeks that an additional clause be included to enable earthworks associated with the installation of a customer connection. No specific reasons for provision for these earthworks area provided.

3.18.9.2 Assessment

1123. I disagree with the amendment sought by Powerco Limited [83.78]. The standard enables earthworks where land disturbance has previously occurred and therefore earthworks will be unlikely to result in any additional effects on the values associated with historic heritage and sites and areas of significance to Māori. Earthworks for the construction of new customer connections may have significant adverse effects and therefore I consider that enabling these works would not be appropriate.

1124. In relation to the submission from the Telcos [51.59], I agree that the standard may be overly restrictive in limiting the method of earthworks. The method of earthworks is not directly relevant to the potential adverse effects on the values associated with historic heritage and sites and areas of significance to Māori, while noting that some methods may result in a different scale of effect due to the extent of disturbance associated with that method.

1125. As such I consider that the wording should be amended to remove the reference to the method of earthworks, and instead focus on the location of the land disturbance associated with the activity. However, I disagree with the wording sought by the submitter, as this introduces additional ambiguity to the standard. I prefer instead to amend the standard so that it requires the earthworks to not exceed 600 millimetres in width, and to be located directly above existing underground infrastructure. I consider that this will aid in Plan interpretation and implementation.

3.18.9.3 Summary of recommendations

1126. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S16 as set out below and in Appendix A;

| INF-S16 | Earthworks – In relation to Historic Heritage and Sites and Areas of Significance to Māori | |
|-----------|--|---|
| All zones | 1. The earthworks must not exceed are limited to trenching less than 600mm in width. 2. The earthworks must be located directly above existing underground infrastructure. | There are no matters of discretion for this standard. |

1127. I recommend that the submissions from the Telcos [51.59] be **accepted in part**.

1128. I recommend that the submissions from Powerco Limited [83.78] be **rejected**.

3.18.10 INF-S19

3.18.10.1 Matters raised by submitters

1129. WELL [85.33] seeks that INF-S19-3 be amended to include allowance for works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003. The reasons stated are to enable compliance the regulations, to give effect to INF-P18 and INF-P19.

1130. The Telcos [51.62] seek that clause INF-S19-1.a be amended to read '[m]ust not exceed a branch or root diameter', for the reasons that there are instances when roots require pruning for underground lines.

3.18.10.2 Assessment

1131. In relation to the submission from WELL [85.33], I note that the standard already includes in clause INF-S19-3.a that the work is essential due to a serious imminent threat to the safety of people or property. Regulation 14 of the Electricity (Hazards from Trees) Regulations 2003 sets out the obligation to remove danger to persons or property from trees damaging conductors. I therefore consider that the submitter's concerns can be addressed through the inclusion of a note clarifying that works undertaken under and in accordance with regulation 14 of the Electricity (Hazards from Trees) Regulations 2003 would meet the requirements of clause INF-S19-3.a.

1132. In relation to the submission from the Telcos [51.62], the pruning of roots is addressed by clause INF-S19-2.d which sets a limit at the point of severance of 35 millimetres rather than the 50 millimetre threshold set in clause INF-S19-1.a. Clause INF-S19-2.d is consistent with the requirements of TREE-S1-4. Therefore, I do not consider that the requested amendment is appropriate.

1133. I also note that consequential amendments are recommended as a result of changes recommended in the Planner's Report for Notable Trees authored by Ms Caroline Rachlin.

3.18.10.3 Summary of recommendations

1134. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** INF-S19 to include the additional note as set out below and in Appendix A;

| INF-S19 | Trimming, pruning, removal or works within the root protection area of a tree identified in SCHED5 - Notable Trees | |
|-----------|---|---|
| All zones | [...] <ol style="list-style-type: none"> 2. Works within the root protection area must only undertaken where: <ol style="list-style-type: none"> c. Any excavation is undertaken by: <ol style="list-style-type: none"> i. Hand-digging, air spade, or hydro vac, <u>where it is an open cut excavation</u>; or | There are no matters of discretion for this standard. |

| | |
|--|--|
| <p>ii. <u>Directional drilling</u> machine <u>where the excavation is</u> at a depth of 1m or greater;</p> <p>[...]</p> <p>d. The works will affect less than 10% of the protected root zone <u>area</u>.</p> <p>3. Removal of a tree must only be undertaken where:</p> <p>[...]</p> <p>b. The tree is confirmed to be dead or in terminal decline by a technician arborist;</p> <p>[...]</p> <p><u>Note: Works essential due to a serious imminent threat to the safety of people or property under INF-S19-3.a includes those works required under and carried out in accordance with regulation 14 of the Electricity (Hazards from Trees) Regulations 2003.</u></p> | |
|--|--|

1135. I recommend that the submissions from WELL [85.33] be **accepted in part**.

1136. I recommend that the submissions from the Telcos [51.62] be **rejected**.

1137. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.19 Minor Errors

1138. I recommend that amendments be made to the INF-Infrastructure chapter to clarify or fix the following:

- Replace the word 'within' with 'from' in INF-P5-5;
- Add a comma to the heading of INF-R7;
- Add the word 'and' to INF-R9-1.b.ii;
- Deleting a redundant semicolon from INF-R11-1.d.iii;
- Adding the word 'or' the end of INF-R11-3.b.i;

- Adding a full stop to the end of INF-R11-3.b.ii;
- Changing the reference to INF-S23 in INF-R38 to INF-P23;
- Adding a full stop to the end of INF-S16;
- Replacing the word 'zone' with 'area' in INF-S19-2.f; and
- Replacing '<' with '≤' in INF-Table 5.

1139. These amendments could have been made after the PDP was notified through the RMA process to correct minor errors¹⁸, but I recommend the amendments are made as part of the Hearing Panel's recommendations for completeness and clarity. The amendments are set out in Appendix A.

¹⁸ Clause 16 of RMA Schedule 1

4 Conclusions

1140. Submissions have been received in support of, and in opposition to the PDP. While most of these submissions relate to the INF – Infrastructure chapter as notified, one submission seeks that the chapter as a whole be amended to relate only to regionally significant infrastructure.

1141. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in Appendix A of this report.

1142. For the reasons set out in the Section 32AA evaluation attached at Appendix C OR included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:


- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the PDP, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

| Name and Title | | Signature |
|----------------|---------------------------------------|--|
| Report Author | Rory Smeaton Senior Policy Planner |  |

Appendix A. Recommended Amendments to the FC – Functioning City, INF-Infrastructure, and Definitions Chapters

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

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.

Other notes

- Consequential changes have been made in this chapter in response to:
 - The submission from Forest and Bird [225.188] relating to the definition of 'Overlays';
 - The submissions from Jeremy Partridge [103.9] relating to standards for excavations in the root protection area of a Notable Tree and [103.8] relating to the removal of references to trees in terminal decline; and
- Consequential renumbering has been undertaken due to the inclusion of additional provisions as set out in the body of the report.

FC - Functioning City

[...]


FC-O2 National Grid

The national¹ significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the eCity.²

¹ Transpower [60.25]

² Forest and Bird [225.86]

INF - Infrastructure

This chapter contains provisions that have legal effect. They are identified with a  to the right hand side of the provision. To see more about what legal effect means please click [here](#).

Infrastructure, as defined in the RMA, generally encompasses physical services and facilities which enable society to function, such as the Three Waters Network, transport, communications, energy generation and distribution networks, and any other network utilities undertaken by network utility operators.

Infrastructure is critical to the social and economic wellbeing of people and communities, including providing for their health and safety, and has national, regional and local benefits. Network utility operators provide the infrastructure services that enable a community to undertake its everyday activities and functions. The Regional Policy Statement for the Wellington Region requires specific recognition and protection of Regionally Significant Infrastructure. The National Policy Statement for Electricity Transmission requires specific recognition and protection of the National Grid.

While infrastructure is ~~often seen as~~³ a necessary and normal part of urban and rural environments, it can also have adverse effects on surrounding land uses and the environment. The sustainable management of natural and physical resources requires a balance between the effects of different land uses. However, Regionally Significant Infrastructure also needs to be protected, where possible, from encroachment by incompatible activities that may result in reverse sensitivity effects. Some infrastructure has specific operational and functional needs that need to be accommodated for its operation.

This chapter also manages infrastructure within Overlays, which require management in a different manner from underlying zone provisions.

Infrastructure includes facilities for the generation of electricity. This would include renewable electricity generation facilities, where these facilities supply power to other people (i.e. community or large-scale activities). However, these activities are addressed separately under the Renewable Electricity Generation chapter. Similarly, provisions relevant to site access, high trip generating activities, and onsite transport facilities are addressed within the Transport Chapter.⁴

Meteorological devices are similar to infrastructure and are also managed in this chapter. This chapter also contains provisions relating to roads. All roads are zoned with the same zoning as the adjacent site generally applying up to the centreline of the road. In some cases, there are contextual reasons for a different approach. Refer to the Plan maps to determine the correct zone applying to a road.⁵

Note: Except as specifically identified in an objective, policy or rule, the objectives, policies and rules in this chapter and the Strategic Direction objectives, and those

³ WELL [85.13]

⁴ Kāinga Ora [81.241]

⁵ Porirua City Council [11.4]

contained in the following chapters where relevant, are the only objectives, policies and rules that apply to infrastructure activities and no objectives, policies and rules in other chapters apply:

1. Contaminated land;
2. Hazardous substances;
3. Renewable Electricity Generation; and
4. Noise.⁶

Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter. All other infrastructure must comply with the noise rules for the underlying zone.⁷

Objectives

INF-O1 The benefits of Regionally Significant Infrastructure

The national, regional and local benefits of Regionally Significant Infrastructure are recognised and provided for.

INF-O2 The protection of Regionally Significant Infrastructure

The function and operation of Regionally Significant Infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.

INF-O3 Availability of infrastructure to meet existing and planned needs

~~Safe, efficient, and resilient infrastructure~~ that is safe, efficient, resilient and accessible⁸ is available to meet the needs of, and is well integrated with, existing and plan-~~enabled~~⁹ subdivision, use and development.

INF-O4 Transport network

The transport network is safe,¹⁰ effective, accessible, connected¹¹ and integrated with other land uses, including contributing to the amenity of public spaces, and provides for all transport modes and users to move efficiently and safely¹² within and beyond the City.

INF-O5 Providing for infrastructure

Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure on the environment¹³ are avoided, remedied or mitigated, including effects on:

1. The anticipated planned urban built environment,¹⁴ character and amenity values of the relevant zone;

⁶ Telcos [51.36]

⁷ Telcos [51.33]

⁸ Kāinga Ora [81.244]

⁹ Forest and Bird [225.104]

¹⁰ Kāinga Ora [81.930]

¹¹ Waka Kotahi [82.39]

¹² Ibid

¹³ Te Awarua-O-Porirua Harbour and Catchments Community Trust and Guardians of Pauatahanui Inlet [77.8]

¹⁴ Kāinga Ora [81.246]

2. The identified¹⁵ values and qualities of Significant Natural Areas identified in SCHED7 – Significant natural Areas, and the identified values and qualities of any other¹⁶ specified¹⁷ Overlay; and
3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards.

Policies

INF-P1 The benefits of Regionally Significant Infrastructure

Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including:

1. The safe, secure and efficient transmission and distribution of gas and electricity that gives people access to energy to meet their needs;
2. An integrated, efficient and safe transport network, including the rail network and the state highways, that allows for the movement of people and goods;
3. Effective, reliable and future-proofed communications networks and services, that gives people access to telecommunication and radiocommunication services; and
4. Safe and efficient potable¹⁸ water, wastewater and stormwater treatment systems, networks and services, which maintains public health and safety.

INF-P2 The benefits of infrastructure other than Regionally Significant Infrastructure

Recognise the benefits that infrastructure not defined as Regionally Significant Infrastructure provides to the economic, social and cultural functioning of the City and health, resilience¹⁹ and wellbeing of people and communities.

INF-P3 Infrastructure for planned future growth

Enable infrastructure to be provided in a manner that is safe, efficient, integrated, accessible and available to provide sufficient capacity for existing and plan-enabled²⁰ subdivision, use and development.

INF-P4 Appropriate infrastructure

Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including associated²¹ earthworks, that:

1. Is of a form, location and scale that minimises adverse effects on the environment;
2. For any new or upgrading of existing infrastructure, it is²² compatible with the anticipated planned urban built environment,²³ character and amenity values of the zone in which the infrastructure is located; and

¹⁵ Forest and Bird [225.106]

¹⁶ Forest and Bird [225.106]

¹⁷ Forest and Bird [225.188]

¹⁸ Forest and Bird [225.107]

¹⁹ WELL [85.16]

²⁰ Forest and Bird [225.109]

²¹ Forest and Bird [225.110]

²² Waka Kotahi [82.44]

²³ Kāinga Ora [81.250]

3. For any maintenance and repair, or removal of existing infrastructure in any specified²⁴ Overlay, it is of a nature and scale that does not adversely impact on the identified²⁵ values and characteristics of an area identified in SCHED7 – Significant Natural Areas, or the identified values and characteristics of any other specified²⁶ Overlay that it is located within.

INF-P5 Adverse effects on Regionally Significant Infrastructure other than the National Grid²⁷

Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure other than the National Grid²⁸ from being unreasonably compromised by:

1. Considering any potential adverse effects of subdivision, use or development²⁹ of a site that contains or is adjacent to any Regionally Significant Infrastructure, including:
 - a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;
 - b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;
 - c. The extent to which the subdivision design and consequential development will minimise avoid the potential for significant reverse sensitivity effects, and avoid, remedy or mitigate other reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and
2. Requiring subdivision, use or development³⁰ of a site that contains or is adjacent to any Regionally Significant Infrastructure to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure;³¹
 1. ~~Avoiding sensitive activities and building platforms located within the National Grid Yard;~~
 2. ~~Only allowing subdivision within the National Grid Corridor where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:~~
 - a. ~~The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid;~~
 - b. ~~The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;~~
 - c. ~~The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot;~~

²⁴ Forest and Bird [225.188]

²⁵ Forest and Bird [225.110]

²⁶ Forest and Bird [225.106]

²⁷ Transpower New Zealand Ltd [60.134]

²⁸ Ibid

²⁹ Waka Kotahi [82.45]

³⁰ Ibid

³¹ Telcos [51.52]

- ~~d. The risk to the structural integrity of the National Grid;~~
- ~~e. 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;~~
- 3. Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network;
- 4. Requiring sensitive activities to be located and designed so that potential adverse effects of ~~and on~~³² the Rail Corridor and State Highways are avoided, remedied or mitigated;
- 5. Requiring any buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances ~~within from~~³³ the ~~National Grid and~~³⁴ Gas Transmission Network;
- ~~6. Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:~~
 - ~~a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;~~
 - ~~b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;~~
 - ~~c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and~~
- ~~7. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.~~

INF-P6 Adverse effects on the National Grid³⁵

Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of the National Grid from being compromised by:

- 1. Avoiding sensitive activities and building platforms located within the National Grid Yard;
- 2. Only allowing subdivision within the National Grid Subdivision Corridor or the National Grid Pāuatahanui Substation Yard where it can be demonstrated that any reverse sensitivity effects will be avoided, and any other adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:
 - a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid, including reasonable access requirements;
 - b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;

³² Waka Kotahi [82.45]

³³ Clause 16 minor amendment

³⁴ Transpower New Zealand Ltd [60.134]

³⁵ Ibid

- c. 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;
- d. The risk to the structural integrity of the National Grid;
- e. 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;
- f. The nature and location of any proposed vegetation to be planted within the National Grid Yard; and
- g. The outcome of any consultation with, and technical advice from, Transpower.

INF-P7 Operation and maintenance and repair of the National Grid³⁶

Provide for the operation and the maintenance and repair of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, that:

1. Minimises adverse effects on the environment; and
2. Where located within a specified Overlay, is of a nature and scale that does not adversely impact on the values and characteristics of the areas identified by the specified overlays that it is located within.

INF-P68 Upgrading of the National Grid

Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, while:

1. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated;
2. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects;
3. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 - Significant Natural Areas;
4. Recognising the potential benefits of upgrades to existing transmission lines to people and communities;
5. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities;
6. Seeking to avoid adverse effects on areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED11 - Coastal High Natural Character Areas, SCHED7 - Significant Natural Areas, SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones; and
7. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.

INF-P79 Development of the National Grid

Provide for the development of the National Grid, while:

³⁶ Transpower New Zealand Ltd [60.36]

1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities;
2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED11 - Coastal High Natural Character Areas,³⁷ SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones;
3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes in the Coastal Environment;
4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and
5. When considering the adverse effects in respect of 1-4 above;
 - a. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and
 - b. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.

INF-P810 Provide for Regionally Significant Infrastructure and other infrastructure outside of Overlays Potentially acceptable infrastructure³⁸

Provide for Regionally Significant Infrastructure and other infrastructure, other than the National Grid,³⁹ where it can be demonstrated that the following matters can be achieved:

1. Compatibility with the site, existing built form and landform;
2. Compatibility with the anticipated character and amenity values of the zone it is located in;
3. Any adverse effects on amenity values are minimised, taking into account:
 - a. The bulk, height, size, colour, reflectivity of the infrastructure;
 - b. Any proposed associated earthworks;
 - c. The time, duration or frequency of any adverse effects; and
 - d. Any proposed mitigation measures;
4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;
5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;
6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;
7. Any adverse effects on any values and qualities of any adjacent specified⁴⁰ Overlays are minimised;
8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and

³⁷ Transpower New Zealand Ltd [60.38]

³⁸ Telcos [51.50]

³⁹ Transpower New Zealand Ltd [60.39]

⁴⁰ Forest and Bird [225.188]

9. Any adverse cumulative effects are minimised.

10. Consistency with any relevant provisions of INF-P18 to INF-P24 where the infrastructure is located within a specified overlay.⁴¹

INF-P~~9~~11 Recognise operational needs and functional needs of infrastructure

Recognise the operational needs and functional needs of Regionally Significant Infrastructure and other infrastructure by having regard to the following matters when making decisions on new infrastructure and the maintenance and repair and upgrading of existing infrastructure:

1. The extent to which;
 - a. The infrastructure integrates with, and is necessary to support, planned urban development;
 - b. The potential for significant adverse effects have been minimised through site, route or method selection; and
 - c. Functional and operational needs constrain ~~the ability to avoid, remedy or mitigate adverse effects of infrastructure is constrained by functional and operational needs~~⁴²;
2. The time, duration or frequency of adverse effects;
3. The necessity of the infrastructure including;
 - a. The need to quickly repair and restore disrupted services; and
 - b. The impact of not operating, repairing, maintaining, upgrading, removing or developing infrastructure;
4. The location and operational needs and functional needs of existing infrastructure including;
 - a. The complexity and connectedness of networks and services; and
 - b. The potential for co-location and shared use of infrastructure corridors; and
5. Anticipated outcomes for the receiving environment and the purpose, character and amenity values of the zone in which it is located.

INF-P1~~2~~0 New technology

Recognise the benefits of new technology in infrastructure that:

1. Improves access to, and efficient use of, networks and services;
 2. Allows for the re-use of redundant services and structures;
 3. Increases resilience or reliability of networks and services;
 4. Protects the on-going safety of the community and the integrity of the network;
- or
5. Results in environmental benefits or enhancements.

INF-P1~~4~~3 Electric and magnetic fields and radiofrequency fields

Avoid infrastructure that does not meet any applicable New Zealand standards or national environmental standards, and/or other internationally recognised standards or guidelines, for electric and magnetic fields and radiofrequency fields.⁴³

INF-P1~~2~~4 Operation of the transport network

⁴¹ Telcos [51.50]

⁴² Waka Kotahi [82.47]

⁴³ Radio New Zealand Limited [121.23]

Enable the safe, resilient, effective and efficient operation, maintenance and repair of the transport network to meet local, regional and national transport needs.

INF-P135 Upgrading and development of the transport network

Provide for the upgrade and development of the transport network where, ~~as far as is practicable,~~⁴⁴ it:

1. Integrates with the existing transport network and any other planned network upgrades or development;
2. Does not compromise the safe, efficient and effective functioning of the transport network;
3. Responds to site and topographical constraints including opportunities to reduce the effects of earthworks on landscape and ecological values;
4. Provides for high levels of connectivity within and between transport modes;
5. Provides for pedestrian and cycling safety and connectivity including access to and usability of public open spaces; and
6. Provides roads which:
 - a. Allocate adequate space in the road corridor, taking into account the classification of the road and the communities and land uses it will serve,⁴⁵ for:
 - i. walking;
 - ii. cycling;
 - iii. public transport;⁴⁶
 - iv. network utility⁴⁷ infrastructure;
 - v. refuse and recycling collection;⁴⁸
 - vi. streetlighting; and
 - vii. street trees; ~~as well as~~
 - viii. vehicles; and
 - ix. on-street parking;
 - b. ~~Avoid permanent no-exit streets unless~~ Only include no-exit roads where:
 - i. ~~There is no practicable alternative due to site and topographical constraints; and~~
 - ii. Connectivity for pedestrians and cyclists is maintained through provision of high-quality and convenient access from any part of a no-exit road to the wider transport network; and
 - iii. The no-exit road will serve a low volume of traffic and will have a length that minimises the adverse effects on the connectivity of the transport network, including for pedestrians and cyclists; or
 - iv. Provision is included within the subdivision design for connection of the no-exit road to the wider transport network, through future development or subdivision, that is consistent with any relevant structure plan.⁴⁹
 - c. Include street trees that are suitable for their specific locations in the road reserve, where these:
 - i. Are a species appropriate to the site's growing conditions including soil, slope, aspect, wind, drought and salt tolerance;

⁴⁴ Forest and Bird [225.117]

⁴⁵ Kenepuru Limited Partnership [59.11]

⁴⁶ GWRC [137.25]

⁴⁷ Ibid

⁴⁸ PCC [11.5]

⁴⁹ Carrus Corporation Ltd [68.12] and Kenepuru Limited Partnership [59.11]

| |
|---|
| <ul style="list-style-type: none"> ii. Contribute to high quality public amenity through species diversity, habitat and food source value and appearance (mature height, stem girth and form); iii. Have low maintenance requirements and high tolerance to pruning; iv. Are sited to avoid compromising traffic safety sightlines in respect of traffic lights, signs, intersections, bus stops, pedestrian crossings and vehicle crossings; and v. Are sited and planted to avoid compromising buildings, structures or infrastructure. |
| <p>INF-P14 Connections to Roads⁵⁰</p> |
| <p>Provide for safe and efficient connections between the transport network and on-site transport facilities by requiring connections to roads to address:</p> <ol style="list-style-type: none"> 1. The classification, characteristics and operating speed of the road and the number and types of vehicles accessing the site; 2. Opportunities to share and minimise the number of connections; 3. Public health and safety including the safe functioning of the transport network and the safety of pedestrians and cyclists; and 4. Site or topography constraints including reduced visibility. |
| <p>INF-P156 Road classification</p> |
| <p>Classify roads according to their function and anticipated volume of traffic, based on the New Zealand Transport Agency's One Network Road Classification, as set out in SCHED1 - Roads Classified According to One Network Road Classification.</p> |
| <p>INF-P167 Roads as infrastructure corridors</p> |
| <p>Encourage the use of roads as infrastructure corridors in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors 2019.</p> |
| <p>INF-P178 Upgrades to existing infrastructure and new infrastructure within or on heritage items, heritage settings and historic heritage sites, and sites and areas of significance to Māori</p> |
| <p>Only allow upgrades to existing infrastructure and new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or sites or areas identified in SCHED6 - Sites and Areas of Significance to Māori where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and 2. The upgrade to existing infrastructure and new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature. |
| <p>INF-P189 Trimming, pruning and activities within the root protection area of notable trees</p> |
| <p>Enable the trimming, pruning and activities within the root protection area of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and</p> |

⁵⁰ Kāinga Ora [81.260]

repairing, upgrading and removing existing infrastructure and any new infrastructure where:

1. For existing infrastructure, the work is required to comply with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001; or
2. For new infrastructure, there is an operational need or functional need that means the infrastructure's location cannot be avoided; and
3. For both new and existing infrastructure, the work will not compromise the long-term health, natural life or identified values of the notable tree.

INF-P19²⁰ Removal of Notable trees

Only allow the removal of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and repairing, upgrading and removing existing infrastructure and any new infrastructure where the criteria in TREE-P5 are met, or⁵¹ it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and
2. There are no feasible alternatives.

INF-P21⁹ Upgrades to and new infrastructure in Significant Natural Areas

Except as provided for by INF-P6 and INF-P7, only allow for upgrades to existing infrastructure and for new infrastructure in areas identified in SCHED7 - Significant Natural Areas where it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and
2. Any adverse effects on indigenous biodiversity values within areas identified in SCHED7 - Significant Natural Areas are addressed in accordance with ECO-P2 and the matters in ECO-P4, ECO-P11 and ECO-P12.

INF-P22⁴ Upgrades to and new infrastructure in Special Amenity Landscapes

Except as provided for by INF-P6 and INF-P7, only allow for upgrades to existing infrastructure and for new infrastructure within Special Amenity Landscapes where:

1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and
2. There is an operational need or functional need that means the infrastructure's location cannot be avoided;
3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through:
 - a. Grouping or dispersing structures;
 - b. Undergrounding; and
 - c. Locations that reduce visibility.
4. The design methods used minimise the adverse visual effects of the infrastructure, including:
 - a. Landscaping and screening;
 - b. Design, location, height, bulk and colour;

⁵¹ Forest and Bird [225.121]

- c. Any light spill effects;
 - d. Reflectivity effects; and
5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects.

INF-P2~~3~~2 Upgrades to and new infrastructure in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area

Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing infrastructure where, and avoid new infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that:

1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives;
2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas;
3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and
4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3.

INF-P2~~4~~3 Upgrades to and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays

Only allow for upgrades to existing and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure:

1. Does not increase the risk from the natural hazard to people, or other property or infrastructure;
2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives;
3. Is ~~not vulnerable~~ designed to be resilient⁵² to the natural hazard;
4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and
5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event.

INF-P2~~5~~4 The National Grid Pāuatahanui Substation Yard

Consider the following matters when assessing any buildings, structures and activities proposed within the National Grid Pāuatahanui Substation Yard:

1. Where located in the Settlement Zone:
 - a. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation; and

⁵² Kenepuru Partnership Limited [59.12]

- b. The extent to which the proposed development will avoid the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid Pāuatahanui Substation.
2. Where located in any zone, including the Settlement Zone:
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage;
 - Measures proposed to mitigate other adverse effects on the operation, maintenance, upgrading and development of the substation;
 - Technical advice from an electrical engineer specialising in electricity transmission;
 - The outcome of any consultation with Transpower; and
 - Whether the building, structure or sensitive activity could be located further from the substation.

INF-P265 The Gas Transmission Pipeline Corridor

Consider the following matters when assessing any buildings, structures and activities proposed within and habitable buildings near,⁵³ the Gas Transmission Pipeline Corridor:

- The extent to which the proposed development design and layout avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities;
- The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network;
- Risks relating to health or public safety, including the risk of property damage;
- The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network; and
- Technical advice provided by the owner and operator of the Gas Transmission Network.

INF-P276 Official⁵⁴ Signs

Enable official⁵⁵ signs associated with the construction, operation, maintenance and repair or upgrading of infrastructure.

Rules

Note: Rule headings may identify whether the rule applies to areas outside of any specified⁵⁶ Overlay, to all specified⁵⁷ Overlay areas, or to areas within specific Overlays. Where rules do not specifically identify this, they apply across all specified⁵⁸ Overlays and areas outside of any specified⁵⁹ Overlay.

Note: Except as specifically identified in a rule in the following table, the rules in this chapter are the only rules that apply to infrastructure activities and no rules in other chapters apply. The exception to this is renewable electricity generation activities defined as infrastructure which are addressed in the Renewable Electricity Generation chapter.

⁵³ PCC [11.7]

⁵⁴ Waka Kotahi [82.55]

⁵⁵ Ibid

⁵⁶ Forest and Bird [225.188]

⁵⁷ Forest and Bird [225.188]

⁵⁸ Forest and Bird [225.188]

⁵⁹ Forest and Bird [225.188]

Note: National Environmental Standards

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 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 (NESETA). Except as provided for by these Regulations, no rules in the Plan apply to activities regulated by the NESETA. Where an activity is not regulated by the NESETA (for example the activity ~~does not relate~~ to an ~~existing~~-transmission line that is part of the National Grid ~~but which was developed after the gazettal of the NESETA~~, or where new National Grid transmission lines and associated structures are proposed), the rules and standards in the District Plan apply. The operation, maintenance, upgrade and development of sub-transmission lines that carry electricity from the National Grid to the local distribution network are also subject to the rules and standards in the District Plan.

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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 (NESTF), separate to this District Plan. The following District Plan scheduled areas are considered NESTF subpart 5 matters, and as such, under the mechanism of the NESTF the District Plan ~~continues to apply where these applies if~~⁶¹ telecommunications facilities are located within the following:

- SCHED2 - Historic Heritage Items (Group A)
- SCHED3 - Historic Heritage Items (Group B)
- SCHED4 - Historic Heritage Sites
- SCHED5 - Notable Trees
- SCHED6 - Sites and Areas of Significance to Māori
- SCHED7 - Significant Natural Areas
- SCHED9 - Outstanding Natural Features and Landscapes
- SCHED10 - Special Amenity Landscapes
- SCHED11 - Coastal High Natural Character Areas

~~Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter. All other infrastructure must comply with the noise rules for the underlying zone.~~⁶²

Note: The mountings of any antenna and any radiofrequency equipment or similar device are not included in the measurement of area or diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself. Any antenna only needs to meet the area or diameter measurement appropriate to the type of antenna and the measurement is of each individual antenna and is not a cumulative measurement.

⁶⁰ WELL [85.23]

⁶¹ Telcos [51.33]

⁶² Ibid

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| Note: An activity may require consent for more than one rule in this table. Plan users are required to review all rules in this table to determine the status of an activity. | |
| INF-R1 | Infrastructure involving radiofrequency fields and electric and magnetic fields |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The maximum exposure levels do not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields – Maximum exposure levels – 3kHz to 300 GHz.'; and</p> <p>b. Infrastructure that emits electric and magnetic fields complies with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010.</p> <p>Note: An activity may require consent for more than one rule in this table. Plan users are required to review all rules in this table to determine the status of an activity.</p> |
| All zones | <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>b. Compliance is not achieved with INF-R1-1.a or INF-R1-1.b.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.⁶³</p> |
| INF-R2 | Noise from construction of new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The noise must be is measured, assessed, managed and controlled in accordance with the requirements and meets the relevant noise limits in Tables 2 and 3 of NZS 6803:1999 Acoustics – Construction noise; and</p> <p>b. Vibration received by any building on any other site complies with the provisions of and is measured and assessed in accordance with DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.⁶⁴</p> |
| All zones | 2. Activity status: Restricted discretionary |

⁶³ Kāinga Ora [81.273]

⁶⁴ Powerco Limited [83.48]


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| | <p>Where:</p> <p>a. Compliance is not achieved with INF-R2-1.a <u>or INF-R2-1.b.</u>⁶⁵</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NOISE-P3.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| INF-R3 | The <u>infrastructure</u> ⁶⁶ maintenance and repair, and removal of existing infrastructure, including any existing ancillary vehicle access tracks, outside of any <u>specified</u> ⁶⁷ Overlay |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S14; and</p> <p>ii. INF-S15.</p> <p>Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure.</p> |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| INF-R4 | Upgrading of existing infrastructure, excluding roads, gas transmission pipelines and transmission lines over 110kV, outside of any <u>specified</u> ⁶⁸ Overlay |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S1;</p> <p>ii. INF-S11;</p> |

⁶⁵ Ibid

⁶⁶ Kāinga Ora [81.101]

⁶⁷ Forest and Bird [225.188]

⁶⁸ Forest and Bird [225.188]


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| | <ul style="list-style-type: none"> iii. INF-S14; iv. INF-S15; and v. The noise rule(s) applying to the zone. |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with INF-S1, INF-S11, INF-S14, INF-S15 or the noise rule(s) applying to the zone. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard or rule. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| <p>INF-R5 </p> | <p>The Infrastructure⁶⁹ maintenance and repair, and removal of existing infrastructure including any existing ancillary vehicle access tracks, within any specified⁷⁰ Overlay</p> |
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S14; ii. INF-S15; and b. Compliance is achieved with INF-S18 and INF-S20 where the activity is located within an area identified in SCHED7 - Significant Natural Areas and the infrastructure is not located within a wetland;⁷¹ c. Compliance is achieved with INF-S17 where the activity is located within an area identified in: <ul style="list-style-type: none"> i. SCHED9 - Outstanding Natural Features and Landscapes; or ii. SCHED10 - Special Amenity Landscapes; or iii. SCHED11 - Coastal High Natural Character Areas; d. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees and the trimming, pruning, removal or activities are required: <ul style="list-style-type: none"> i. To comply with the Electricity (Hazards from Trees) Regulations 2003; ii. To comply with the Telecommunications Act 2001; or iii. For maintenance and repair purposes; e. Compliance is achieved with INF-S16 where the activity is located on or within a heritage item, heritage setting, |

⁶⁹ Kāinga Ora [81.101]

⁷⁰ Forest and Bird [225.188]

⁷¹ GWRC [137.69] and Forest and Bird [225.21]

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| | <p>historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites and SCHED6 - Sites of Significance to Māori;</p> <p>f. The activities do not result in a permanent change to the ground level where the activity is located in the Flood Hazard Overlays of the Natural Hazard Overlay, or the Coastal Hazard Overlay.</p> <p>Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure.</p> |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, or INF-S20.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| | <p>All zones 3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The works involve trimming, pruning or works within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</p> <p>b. Compliance is not achieved with INF-R5-1.d.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P198.</p> |
| | <p>All zones 4. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The works involve the removal of a notable tree identified in SCHED5 - Notable Trees; and</p> <p>b. Compliance is not achieved with INF-R5-1.d.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P2019.</p> |
| | <p>All zones 5. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S16.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in HH-P6; and</p> <p>2. The matters in SASM-P4.</p> |

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| | <p>All zones 6. Activity status: Restricted discretionary</p> <p>Where:</p> <p> a. Compliance is not achieved with INF-R5-1.f.</p> <p>Matters of discretion are restricted to:</p> <p> 1. The matters in INF-P24<u>3</u>.</p> |
| | <p>All zones 7. Activity status: Discretionary</p> <p>Where:</p> <p> a. The works involve infrastructure located within a wetland within an area identified in SCHED7 – Significant Natural Areas.</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</p> <p> a. Identifying the biodiversity values and potential impacts from the proposal; and</p> <p> b. Demonstrating that the ECO-P2 hierarchy has been applied.⁷²</p> |
| <p>INF-R6 </p> | <p>Upgrading of existing infrastructure, <u>excluding walkways, cycleways and shared paths</u>,⁷³ which is located on or within a heritage item, heritage setting, or historic heritage site identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or sites and areas identified in SCHED6 - Sites and Areas of Significance to Māori</p> |
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <p> a. The infrastructure is an antenna; and</p> <p> b. Compliance is achieved with INF-S2.</p> |
| | <p>All zones 2. Activity status: Discretionary</p> <p>Where:</p> <p> a. Compliance is not achieved with INF-R6-1.a or INF-S2.</p> |
| <p>INF-R7</p> | <p>Upgrading of infrastructure, excluding roads, gas transmission pipelines, <u>walkways, cycleways and shared paths</u>,⁷⁴ and transmission lines <u>at or</u>⁷⁵ over 110kV,⁷⁶ located in an area identified in SCHED10 - Special Amenity</p> |

⁷² GWRC [137.69] and Forest and Bird [225.21]

⁷³ Forest and Bird [225.133]

⁷⁴ Ibid

⁷⁵ Transpower [60.52]

⁷⁶ Clause 16 minor amendment

| Landscapes or SCHED11 - Coastal High Natural Character Areas | |
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| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The infrastructure is:</p> <ol style="list-style-type: none"> i. Located underground; or ii. Located above ground and is located within an existing road reserve <u>or rail corridor</u>⁷⁷; and <p>b. Compliance is achieved with;</p> <ol style="list-style-type: none"> i. INF-S1; ii. INF-S17; and iii. The noise rule(s) applying to the zone. |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S1, INF-S17 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard or rule. |
| All zones | <p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R7-1.a.</p> |
| INF-R8 | <p>Upgrading of infrastructure, excluding roads, gas transmission pipelines, <u>walkways, cycleways and shared paths</u>,⁷⁸ and transmission lines <u>at or</u>⁷⁹ over 110kV, in a Natural Hazard Overlay or Coastal Hazard Overlay</p> |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. INF-S1; ii. INF-S14; iii. INF-S15; and iv. The noise rule(s) applying to the zone; and <p>b. The infrastructure upgrade:</p> <ol style="list-style-type: none"> i. Dd does not result in a permanent change to the ground level once the upgrade is completed; and ii. c. Any addition to existing infrastructure, structure or building located above ground level <u>within a Flood Hazard Overlay or Coastal Hazard Overlay</u>. |

⁷⁷ KiwiRail [86.37]

⁷⁸ Forest and Bird [225.133]


⁷⁹ Transpower [60.53]

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| | <p><u>i. Does not increase the footprint of the existing infrastructure, structure or building <u>within a High or Medium Hazard area</u>;</u></p> <p><u>ii. Does not increase the footprint of the existing infrastructure, structure or building by more than 10m² within a Low Hazard area.</u>⁸⁰</p> |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S1, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| All zones | <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R8-1.b <u>or INF-R8-1.c</u>.⁸¹</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P243.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R9 | <p><u>Upgrading of infrastructure, excluding roads, gas transmission pipelines, walkways, cycleways and shared paths, and transmission lines at or over 110kV, located in the root protection area of a tree listed in SCHED5 - Notable Trees</u>⁸²</p> |
| All zones | <p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is achieved with:</u></p> <p><u>i. INF-S1;</u></p> <p><u>ii. INF-S14;</u></p> <p><u>iii. INF-S15;</u></p> <p><u>iv. INF-S19; and</u></p> <p><u>v. The noise rule(s) applying to the zone; and</u></p> |
| All zones | <p><u>2. Activity status: Restricted discretionary</u></p> |

⁸⁰ Powerco [83.54]

⁸¹ Powerco [83.54]

⁸² Powerco [83.63]

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| | <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with INF-S1, INF-S14, INF-S15 or the noise rule(s) applying to the zone</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters of discretion of any infringed standard or rule.</u></p> <p><u>Notification:</u> <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p> |
| <u>All zones</u> | <p><u>3. Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>a. The works involve trimming, pruning or works within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and</u></p> <p><u>b. Compliance is not achieved with INF-S19.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in INF-P19.</u></p> <p><u>Notification:</u> <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p> |
| <u>All zones</u> | <p><u>4. Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>a. The works removal of a notable tree identified in SCHED5 - Notable Trees; and</u></p> <p><u>b. Compliance is not achieved with INF-S19.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in INF-P20.</u></p> <p><u>Notification:</u> <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p> |
| <u>INF-R910</u>  | <p><u>New, extensions to, and upgrading of Walkways, cycleways and shared paths that are located on public land other than a road⁸³</u></p> |
| <u>All zones</u> | <p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. The walkway, cycleway or shared path is in a reserve administered by the Greater Wellington Regional Council</u></p> |

⁸³ Forest and Bird [225.133]

- or Department of Conservation and is located outside of any specified⁸⁴ Overlay;
- b. The walkway, cycleway or shared path is in a reserve administered by Porirua City Council and is located outside of any specified⁸⁵ Overlay; and
- i. The activity is undertaken by Porirua City Council; and
 - ii. Compliance is achieved with INF-S14, INF-S15, and⁸⁶ INF-S27;
- c. The walkway, cycleway or shared path is within a reserve administered by Porirua City Council and the activity is undertaken by Porirua City Council, and is located within or partly within any specified⁸⁷ Overlay; and:
- i. It is not located within a heritage item, heritage setting, historic heritage site or site or area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;
 - ii. It is not within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow in the Natural Hazard Overlay;
- iii. Compliance is achieved with INF-S18 and INF-S20 where the activity is upgrading of an existing walkway, cycleway or shared path⁸⁸ located within an area identified in SCHED7 - Significant Natural Areas ~~and the infrastructure is not located within a wetland~~;⁸⁹
- iv. Compliance is achieved with INF-S17 where the activity is located within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;
 - v. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and
 - vi. Compliance is achieved with:
 1. INF-S14;
 2. INF-S15; and
 3. INF-S27; or
- d. The walkway, cycleway or shared path is in a reserve administered by the Greater Wellington Regional Council

⁸⁴ Forest and Bird [225.188]

⁸⁵ Forest and Bird [225.188]

⁸⁶ Clause 16 minor amendment

⁸⁷ Forest and Bird [225.188]

⁸⁸ Ibid

⁸⁹ GWRC [137.69] and Forest and Bird [225.21]

or Department of Conservation, and is located within or partly within any specified⁹⁰ Overlay; and:

- i. It is not within a heritage item, heritage setting, historic heritage site, or site or area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or SCHED6 - Sites and Areas of Significance to Māori;
- ii. It is not within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow the Natural Hazard Overlay;

iii. Compliance is achieved with INF-S18 and INF-S20 where the activity is upgrading of an existing walkway, cycleway or shared path⁹¹ located within an area identified in SCHED7 - Significant Natural Areas and the infrastructure is not located within a wetland;⁹²

- iv. Compliance is achieved with INF-S17 where the activity is located within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas;
- v. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and
- vi. Compliance is achieved with:
 1. INF-S14; and
 2. INF-S15.

All zones

2. Activity status: Controlled

Where:

a. The walkway, cycleway or shared path is a new, or an extension to an existing, walkway, cycleway or shared path located within an area identified in SCHED7 - Significant Natural Areas; and

b. Compliance is achieved with:

- i. INF-S14;
- ii. INF-S15;
- iii. INF-S18;
- iv. INF-S20; and
- v. INF-S27.

Matters of control are reserved to:

1. The matters in INF-P21.⁹³

⁹⁰ Forest and Bird [225.188]

⁹¹ Ibid

⁹² GWRC [137.69] and Forest and Bird [225.21]

⁹³ GWRC [137.74], QEII [216.48] and Forest and Bird [225.133]

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| | <p>All zones 23. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, INF-S20 or INF-S27.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> |
| | <p>All zones 34. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The walkway, cycleway or shared path is within an area identified as a Flood Hazard - Stream Corridor or Flood Hazard - Overland Flow in the Natural Hazard Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>3. The matters in INF-P243.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| | <p>All zones 45. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The walkway, cycleway or shared path is within a heritage item, heritage setting, historic heritage site, or site or area identified in:</p> <p>i. SCHED2 - Historic Heritage Items (Group A); ii. SCHED3 - Historic Heritage Items (Group B); iii. SCHED4 - Historic Heritage Sites; or iv. SCHED6 - Sites and Areas of Significance to Māori.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P187.</p> |
| | <p>All zones 56. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The walkway, cycleway or shared path involves trimming, pruning or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and b. Compliance is not achieved with INF-S19.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P198.</p> |
| | <p>All zones 67. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The walkway, cycleway or shared path involves removal of a notable tree identified in SCHED5 - Notable Trees; and b. Compliance is not achieved with INF-S19.</p> |

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| | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in INF-P20<u>19</u>. |
| All zones | <p>7. Activity status: Discretionary</p> <p>-</p> <p>Where:</p> <ol style="list-style-type: none"> The walkway, cycleway or shared path is within a wetland within an area identified in SCHED7 – Significant Natural Areas.⁹⁴ |
| INF-R110<u>10</u> | <p>New and extensions to existing vehicle access tracks ancillary to infrastructure, outside of any <u>specified</u>⁹⁵ Overlay</p> |
| All zones | <ol style="list-style-type: none"> Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> Compliance is achieved with: <ol style="list-style-type: none"> INF-S14; and INF-S15. |
| All zones | <ol style="list-style-type: none"> Activity status: Restricted discretionary <p>Where:</p> <ol style="list-style-type: none"> Compliance is not achieved with INF-S14 or INF-S15. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters of discretion of any infringed standard. <p>Notification:</p> <p>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R124<u>24</u> | <p>New infrastructure located within a Natural Hazard Overlay or Coastal Hazard Overlay, excluding roads, walkways, cycleways and shared paths, gas transmission pipelines and transmission lines and new transformers, substations, switching station and ancillary buildings for the electricity network, and water and wastewater treatment plants</p> |
| All zones | <ol style="list-style-type: none"> Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> Compliance is achieved with: <ol style="list-style-type: none"> INF-S3; INF-S4; INF-S5; INF-S6; INF-S7; INF-S8; INF-S9; INF-S10; |

⁹⁴ GWRC [137.69] and Forest and Bird [225.21]

⁹⁵ Forest and Bird [225.188]

- ix. INF-S11;
 - x. INF-S12;
 - xi. INF-S13;
 - xii. INF-S14;
 - xiii. INF-S15; and
 - xiv. The noise rule(s) applying to the zone; and
- b. The infrastructure is contained within or attached to an existing building or structure, and:
- i. Does not result in a permanent change to the ground level once the upgrade is completed; and
 - ii. Does not increase the footprint of the existing structure or building; or
- c. The infrastructure is located underground and does not result in a permanent change to the ground level within the:
- i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay;
 - ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;
 - iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay; or
 - iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or
- d. The infrastructure is above ground and is located ~~above ground~~⁹⁶ within the:
- i. Low Hazard Area of the Flood Hazard Overlays in a Natural Hazard Overlay;
 - ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay;
 - iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay;⁹⁷ or
 - iv. Low or Medium Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay.

Note: INF-R11-1.d relates to physical structures located within the Natural Hazard or Coastal Hazard Overlays. This rule is not triggered by lines that may span over an overlay area, but whose support structures are not located either within a Natural Hazard or Coastal Hazard Overlay.

All zones

2. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S8, INF-S9, INF-S10, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.

⁹⁶ Powerco [83.55]

⁹⁷ Clause 16 minor amendment

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| | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard or rule; and 2. The matters in INF-P243. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| All zones | <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The infrastructure is located underground and results in a permanent change to the ground level within the: <ol style="list-style-type: none"> i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay; ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay; iii. Low or Medium Hazard Areas of the Coastal Hazard - Future Erosion area and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay; or iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or b. The infrastructure is located underground within the: <ol style="list-style-type: none"> i. Medium or High Hazard Areas of the Pukerua Fault or Ohariu Fault Hazard Extents of the Natural Hazard Overlay; or⁹⁸ ii. High Hazard Areas of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area.₉₉ <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P243. <p>Notification: An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> |
| All zones | <p>4. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The infrastructure is located above ground within: <ol style="list-style-type: none"> i. Medium and High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay; ii. Medium or High Hazard Areas of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay; |

⁹⁸ Clause 16 minor amendment

⁹⁹ Clause 16 minor amendment

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| | <ul style="list-style-type: none"> iii. High Hazard Areas of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area; or iv. High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay. |
| INF-R132 | Cabinets (not regulated by the NESTF) located outside of any <u>specified</u>¹⁰⁰ Overlay |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S8; ii. INF-S9; iii. INF-S11 iv. INF-S13; v. INF-S14; vi. INF-S15; and vii. The noise rule(s) applying to the zone. |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with INF-S8, INF-S9, INF-S11 INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard or rule. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R143 | Infrastructure located within existing buildings |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with the noise rule(s) applying to the zone. |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with the noise rule(s) applying to the zone. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard or rule. |

¹⁰⁰ Forest and Bird [225.188]

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| | <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R1⁵⁴ | Infrastructure located on or within existing bridges and structures across streams |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S14;</p> <p>ii. INF-S15; and</p> <p>iii. The noise rule(s) applying to the zone.</p> |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R1⁶⁵ | Underground infrastructure, excluding gas transmission pipelines and transmission lines over 110kV, outside of any <u>specified</u>¹⁰¹ Overlay |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S14;</p> <p>ii. INF-S15; and</p> <p>iii. The noise rule(s) applying to the zone.</p> |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |

¹⁰¹ Forest and Bird [225.188]

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| INF-R176 | Antenna attached to a building and associated support structures (not regulated by the NESTF) outside of any <u>specified</u>¹⁰² Overlay |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. INF-S5; ii. INF-S7; and iii. INF-S12. |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S5, INF-S7 or INF-S12.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R187 | Telecommunication poles, with or without associated antenna, and antenna attached to telecommunication poles (not regulated by the NESTF) outside of any <u>specified</u>¹⁰³ Overlay |
| <p>City Centre Zone</p> <p>Large Format Retail Zone</p> <p>General Industrial Zone</p> <p>Mixed Use Zone</p> <p>Local Centre Zone</p> <p>Rural Zones</p> <p>Future Urban Zone</p> | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. INF-S3; ii. INF-S4; iii. INF-S6; iv. INF-S11; v. INF-S12; vi. INF-S14; and vii. INF-S15. |

¹⁰² Forest and Bird [225.188]

¹⁰³ Forest and Bird [225.188]

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| <p>Sport and Active Recreation Zone</p> <p>Hospital Zone</p> <p>Special Purpose Zone (BRANZ)</p> <p>Māori Purpose Zone (Hongoeka)</p> | |
| <p>City Centre Zone</p> <p>Large Format Retail Zone</p> <p>General Industrial Zone</p> <p>Mixed Use Zone</p> <p>Local Centre Zone</p> <p>Rural Zones</p> <p>Future Urban Zone</p> <p>Sport and Active Recreation Zone</p> <p>Hospital Zone</p> <p>Special Purpose Zone (BRANZ)</p> | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S3; INF-S4, INF-S5, INF-S6, INF-S11; INF-S12; INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |

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| Māori Purpose Zone (Hongoeka) | |
| Residential Zones | 3. Activity status: Restricted discretionary |
| Neighbourhood Centre Zone | Matters of discretion are restricted to: |
| Open Space Zone | <ol style="list-style-type: none"> 1. Where the antenna is associated with Regionally Significant Infrastructure: <ol style="list-style-type: none"> a. The matters in INF-P1; b. The matters in INF-P108; and c. The matters in INF-P119. 2. Where the antenna is for infrastructure other than Regionally Significant Infrastructure: <ol style="list-style-type: none"> a. The matters in INF-P108; and b. The matters in INF-P119. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> |
| INF-R198 Above ground lines including associated support structures, excluding transmission lines over 110kV (not regulated by the NESTF or NESETA), outside of any specified ¹⁰⁴ Overlay | |
| Rural Zones | 1. Activity status: Permitted |
| Future Urban Zone | Where: |
| Open Space and Recreation Zones | a. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S3; ii. INF-S4; iii. INF-S11; iv. INF-S12; v. INF-S14; and vi. INF-S15. |
| Māori Purpose Zone (Hongoeka) | |
| Special Purpose Zone (BRANZ) | |
| Rural Zones | 2. Activity status: Restricted discretionary |
| Future Urban Zone | Where: |

¹⁰⁴ Forest and Bird [225.188]

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| | <p>Open Space and Recreation Zones</p> <p>Māori Purpose Zone (Hongoeka)</p> <p>Special Purpose Zone (BRANZ)</p> | <p>a. Compliance is not achieved with INF-S3, INF-S4, INF-S11, INF-S12, INF-S14 or INF-S15.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| | <p>Residential Zones</p> <p>Commercial and Mixed Use Zones</p> <p>General Industrial Zone</p> <p>Hospital Zone</p> | <p>3. Activity status: Discretionary</p> |
| INF-R1920 | | Customer connection lines outside of any <u>specified</u>¹⁰⁵ Overlay |
| | All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The connection does not include a new tower; b. The connection does not exceed three additional poles; c. The diameter of conductors, lines or cables does not exceed 30mm; and d. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; and ii. INF-S15. |
| | All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with INF-S14 or INF-S15. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. |

¹⁰⁵ Forest and Bird [225.188]

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| | <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| | <p>All zones 3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R19-1.a, INF-R19-1.b or INF-R19.1.c.</p> |
| | <p>INF-R210 Temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, excluding roads and ancillary access tracks, outside of any <u>specified</u>¹⁰⁶ Overlay</p> |
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <p>a. The temporary infrastructure or temporary electricity generator and self-contained power unit:</p> <p>i. Operate for a maximum of 12 months; and</p> <p>ii. Is removed from the site when the operation ceases or is no longer required, within the period set in INF-R20-1.a.i; and</p> <p>b. Compliance is achieved with:</p> <p>i. INF-S8;</p> <p>ii. INF-S9;</p> <p>iii. INF-S14;</p> <p>iv. INF-S15; and</p> <p>v. The noise rule(s) applying to the zone or activity.</p> |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S14, INF-S15 or the noise rule(s) applying to the zone or activity.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| | <p>All zones 3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R20-1.a.</p> |

¹⁰⁶ Forest and Bird [225.188]

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| INF-R224 Meteorological activities and extreme adverse weather warning devices outside of any specified ¹⁰⁷ Overlay | |
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is achieved with:</p> <p style="padding-left: 40px;">i. INF-S3; ii. INF-S4; iii. INF-S5; iv. INF-S6; v. INF-S7; vi. INF-S10; vii. INF-S11; viii. INF-S12; ix. INF-S14; x. INF-S15; and xi. The noise rule(s) applying to the zone.</p> |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is not achieved with INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S10, INF-S11, INF-S12, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">1. The matters of discretion of any infringed standard or rule.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> |
| INF-R232 Ancillary transport network infrastructure | |
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is achieved with:</p> <p style="padding-left: 40px;">i. INF-S3; ii. INF-S4; iii. INF-S6; iv. INF-S814; and v. INF-S23; and <u>vi. INF-S26.</u>¹⁰⁸</p> |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> |

¹⁰⁷ Forest and Bird [225.188]

¹⁰⁸ Kāinga Ora [81.325]

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| | | <p>a. Compliance is not achieved with INF-S3, INF-S4, INF-S6, INF-S8<u>14</u>, or INF-S23 <u>or INF-S26</u>¹⁰⁹.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; and 2. The matters in INF-P15<u>3</u>. |
| | INF-R23 | Connections to roads for vehicle access to sites ¹¹⁰ |
| - | All zones | <p>1. Activity status: Permitted</p> <p>-</p> <p>Where:</p> <p>a. The road is an Arterial Road, Collector Road or Access Road as identified in SCHED1—Roads Classified According to One Network Road Classification; and</p> <p>b. Compliance is achieved with:</p> <ol style="list-style-type: none"> 1. INF-S25 for a Vehicle Access Level 4 classified in accordance with TR-S2; or 2. INF-S26 for Vehicle Access Levels 1, 2 and 3 classified in accordance with TR-S2. |
| - | All zones | <p>2. Activity status: Restricted discretionary</p> <p>-</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R23-1.a; or</p> <p>b. Compliance is not achieved with INF-S25 for Vehicle Access Level 4, or INF-S26 for Vehicle Access Levels 1, 2 and 3.</p> <p>-</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P14. |
| | INF-R24 | Signs associated with the construction, operation, maintenance and repair, or upgrading of infrastructure |
| | All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with <ol style="list-style-type: none"> i. INF-S21; and ii. SIGN-S6. |
| | All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with INF-S21 or SIGN-S6. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. <p>Notification:</p> |

¹⁰⁹ Kāinga Ora [81.325]

¹¹⁰ Kāinga Ora [81.352]

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| | <ul style="list-style-type: none"> • An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. • When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority. |
| INF-R25 | Infrastructure and the operation, maintenance and repair, upgrading and removal of existing infrastructure and associated earthworks in the National Grid Yard and Gas Transmission Pipeline Corridor |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and Any earthworks within the National Grid Yard do not: <ol style="list-style-type: none"> Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure; Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and Result in a reduction of the existing conductor clearance distances. Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth. <p>Notes:</p> <ol style="list-style-type: none"> To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor. <u>This rule does not apply to:</u> <ol style="list-style-type: none"> <u>Transpower in respect of activities within the National Grid Yard; or</u> <u>The owner and operator of the gas transmission network in respect of activities within the Gas Transmission Pipeline Corridor.</u>¹¹¹ |
| All zones | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Compliance is not achieved with INF-R25-1.c. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in EW-P5. <p>Notification:</p> <ul style="list-style-type: none"> • An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. |

¹¹¹ Firstgas [84.20]

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| | <ul style="list-style-type: none"> When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Limited. |
| All zones | <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.a or INF-R25-1.b.</p> <p>Notification:</p> <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.¹¹² |
| INF-R26 | Infrastructure not otherwise provided for or subject to any other rule in this table |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> INF-S8; INF-S9; INF-S11; INF-S12; INF-S13; INF-S14; INF-S15; and The noise rule(s) applying to the zone. |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> |
| INF-R27 | New roads and upgrading of roads outside of any <u>specified</u>¹¹³ Overlay |
| All zones | <p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. The road is a new road that provides access for a subdivision that creates vacant allotments under SUB-R3; and</p> |

¹¹² Kāinga Ora [81.297]

¹¹³ Forest and Bird [225.188]

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| | <p>b. The road is classified as a Collector Road or Access Road in INF-S22; and</p> <p>c. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P13. <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹¹⁴ |
| | <p>All zones 2. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is an upgrade to an existing road that does not result in the road being classified as a higher order road under INF-S22; and b. The road is classified as a Collector Road or Access Road in INF-S22; and c. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1<u>5</u>3. <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹¹⁵ |
| | <p>All zones 3. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is: |

¹¹⁴ Kenepuru Limited Partnership [59.27] and Kāinga Ora [81.930]

¹¹⁵ Ibid

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| | <ul style="list-style-type: none"> i. A new road other than a road that provides access for a subdivision that creates vacant allotments under SUB-R3; or ii. An upgrade to an existing road that results in the road being classified as a higher order road; <ul style="list-style-type: none"> b. The road is classified as a Collector Road or Access Road in INF-S22; and <ul style="list-style-type: none"> c. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters in INF-P108; and 2. The matters in INF-P153. <p>Section 88 information requirements for applications:</p> <ul style="list-style-type: none"> 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9-2013.¹¹⁶ |
| All zones | <p>4. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. The road is a National Road, Regional Road or Arterial Road; or b. Compliance is not achieved with INF-S14; INF-S15; INF-S23; INF-S24 or INF-S25. |
| INF-R28 | New roads and upgrading of roads within a Natural Hazard Overlay or Coastal Hazard Overlay |
| All zones | <p>1. Activity status: Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> a. The works are an upgrade to an existing road; b. The road is classified as a Collector Road or Access Road in INF-S22; c. The upgrade does not result in the road being classified as a higher order road; d. The upgrade does not result in a permanent change to the ground level or footprint of the road once the upgrade is completed; and e. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; |


¹¹⁶ Kāinga Ora [81.930]

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| | <p>iv. INF-S24; and v. INF-S25.</p> <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P153; and 2. The matters in INF-P243. <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹¹⁷ |
| | <p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is a new road; or b. The works are an upgrade to an existing road that results in: <ol style="list-style-type: none"> i. A permanent change to the ground level or footprint of the road; or ii. The road being classified as a higher order road; and c. The road is classified as a Collector Road or Access Road in INF-S22; and d. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P153; and 2. The matters in INF-P243. <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹¹⁸ |
| | <p>All zones 3. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is a National Road, Regional Road or Arterial Road; or b. Compliance is not achieved with INF-S14, INF-S15, INF-S23, INF-S24 or INF-S25. |

¹¹⁷ Kāinga Ora [81.930]

¹¹⁸ Ibid

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| INF-R29 | <p>Upgrading of roads within an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas</p> |
| <p>All zones</p> | <p>1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is classified as a Collector Road or Access Road in INF-S22; b. The upgrade does not result in the road being classified as a higher order road; c. Compliance is achieved with INF-S17 for areas outside of the existing road reserve; and d. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P153; 2. The matters in INF-P224; and 3. The matters in INF-P232. <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.</p> |
| <p>All zones</p> | <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with INF-S17 for areas outside of the existing road reserve; b. The road is classified as a Collector Road or Access Road in INF-S22; c. The upgrade does not result in the road being classified as a higher order road; and d. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion for any infringed standard; 2. <u>The matters in INF-P15;</u> 3. <u>The matters in INF-P22; and</u> |

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| | <p><u>4. The matters in INF-P23.</u>¹¹⁹</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹²⁰</p> |
| All zones | <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The upgrade results in the road being classified as a higher order road; The road is classified as a Collector Road or Access Road in INF-S22; and Compliance is achieved with: <ol style="list-style-type: none"> INF-S14; INF-S15; INF-S23; INF-S24; and INF-S25. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in INF-P153; The matters in INF-P224; and The matters in INF-P232. <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹²¹</p> |
| All zones | <p>4. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The road is a National Road, Regional Road or Arterial Road; or Compliance is not achieved with INF-S14, INF-S15, INF-S23, INF-S24 or INF-S25. |
| INF-R30  | Upgrading of roads located in an area identified in SCHED7 - Significant Natural Areas |
| All zones | <p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> |

¹¹⁹ Kāinga Ora [81.930]

¹²⁰ Kāinga Ora [81.930]

¹²¹ Ibid

- a. The road is classified as a Collector Road or Access Road in INF-S22;
- b. Compliance is achieved with:
 - i. INF-S14;
 - ii. INF-S15;
 - iii. INF-S18 for areas outside of the existing road reserve;
 - iv. INF-S20;
 - v. INF-S23;
 - vi. INF-S24; and
 - vii. INF-S25; ~~and~~
- ~~c. The road is not located within a wetland.~~¹²²

Matters of discretion are restricted to:

1. The matters in INF-P13; and
2. The matters in INF-P20.

Section 88 information requirements for applications:

1. Applications under this rule must provide, in addition to the standard information requirements:
 - ~~a. A road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.~~¹²³
 - ~~b.~~ An Ecological Assessment provided by a suitably qualified and experienced ecologist;
 - i. Identifying the biodiversity values and potential impacts from the proposal; and
 - ii. Demonstrating that the ECO-P2 hierarchy has been applied.

All zones

2. Activity status: **Discretionary**

Where:

- a. The road is a National Road, Regional Road or Arterial Road;
- ~~b. The road is within a wetland;~~ or¹²⁴
- ~~eb.~~ Compliance is not achieved with INF-S14, INF-S15, INF-S18, INF-S20, INF-S23, INF-S24 or INF-S25.

Section 88 information requirements for applications:

1. Applications under this rule must provide, in addition to the standard information requirements an Ecological Assessment provided by a suitably qualified and experienced ecologist;
 - a. Identifying the biodiversity values and potential impacts from the proposal; and
 - b. Demonstrating that the ECO-P2 hierarchy has been applied.

¹²² GWRC [137.69] and Forest and Bird [225.21]

¹²³ Kāinga Ora [81.930]

¹²⁴ GWRC [137.69] and Forest and Bird [225.21]

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| INF-R31 | New roads and upgrading of roads located in the root protection area of a tree listed in SCHED5 - Notable Trees |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is classified as a Collector Road or Access Road in INF-S22; b. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S19; iv. INF-S23; v. INF-S24; and vi. INF-S25. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P153; 2. The matters in INF-P198; and 3. The matters in INF-P2049. <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects – Guidelines, Transfund New Zealand Manual No. TFM9 2013.¹²⁵</p> |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The road is a National Road, Regional Road or Arterial Road; or b. Compliance is not achieved with INF-S14, INF-S15, INF-S19, INF-S23, INF-S24 or INF-S25. |
| INF-R32 | Telecommunication poles, antennas and cabinets regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF, outside of any specified¹²⁶ Overlay |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1; 2. The matters in INF-P108; and 3. The matters in INF-P119. |
| INF-R33 | Telecommunication poles, antennas and cabinets regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of |

¹²⁵ Kāinga Ora [81.930]

¹²⁶ Forest and Bird [225.188]

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| the NESTF within any Natural Hazard Overlay or Coastal Hazard Overlay | |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1; 2. The matters in INF-P108; 3. The matters in INF-P119; and 4. The matters in INF-P243. |
| INF-R34 Upgrading of transmission lines <u>at or</u>¹²⁷ above 110kV that are not regulated by the NESETA | |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1; and 2. The matters in INF-P86. |
| INF-R35 Water reservoirs outside of any <u>specified</u>¹²⁸ Overlay | |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1; 2. The matters in INF-P108; and 3. The matters in INF-P119. |
| INF-R36 Upgrading and development of the Gas Transmission Network outside of any <u>specified</u>¹²⁹ Overlay | |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Any gas transmission pipeline is located underground. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P1; 2. The matters in INF-P108; and 3. The matters in INF-P119. |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with INF-R36-1.a. |
| INF-R37 Upgrading of the Gas Transmission Network within an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Area | |
| All zones | <p>1. Activity status: Restricted discretionary</p> |

¹²⁷ Transpower [60.56]

¹²⁸ Forest and Bird [225.188]

¹²⁹ Forest and Bird [225.188]

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| | <p>Where:</p> <p>a. Any gas transmission pipeline is located underground.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P224; and</p> <p>2. The matters in INF-P232.</p> |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R37-1.a.</p> |
| INF-R38 | Upgrading and development of the Gas Transmission Network within a Natural Hazard Overlay or Coastal Hazard Overlay |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Any gas transmission pipeline is located underground.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-SP¹³⁰243.</p> |
| All zones | <p>Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R38-1.a.</p> |
| INF-R39 | Upgrading of infrastructure, excluding roads and walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. INF-S1;</p> <p>ii. INF-S14;</p> <p>iii. INF-S15;</p> <p>iv. INF-S18;</p> <p>v. INF-S20; and</p> <p>vi. The noise rule(s) applying to the zone;</p> <p>b. Any gas transmission pipeline is located underground; and</p> <p>c. The infrastructure is not located within a wetland.¹³¹</p> <p>1. Matters of discretion are restricted to:</p> <p>a. The matters in INF-P210.</p> <p>Section 88 information requirements for applications:</p> |

¹³⁰ Clause 16 minor amendment

¹³¹ GWRC [137.69] and Forest and Bird [225.21]

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| | <p>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</p> <ol style="list-style-type: none"> a. Identifying the biodiversity values and potential impacts from the proposal; and b. Demonstrating that the ECO-P2 hierarchy has been applied. |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with INF-S1, INF-S14, INF-S15, INF-S18, INF-S20 or the noise rule(s) applying to the zone; or b. Compliance is not achieved with INF-R39-1.b or INF-R39-4.e.¹³² <p>Section 88 information requirements for applications:</p> <ol style="list-style-type: none"> 1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: <ol style="list-style-type: none"> a. Identifying the biodiversity values and potential impacts from the proposal; and b. Demonstrating that the ECO-P2 hierarchy has been applied. |
| INF-R40 | <p>Upgrading of infrastructure and nNew¹³³ infrastructure including any ancillary vehicle access tracks, excluding roads, walkways, cycleways and shared paths, located in the root protection area of a tree listed in SCHED5 - Notable Trees</p> |
| All zones | <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. INF-S1 for any upgrading; ii. INF-S3_{7.1} iii. INF-S4_{7.1} iv. INF-S5_{7.1} v. INF-S6_{7.1} vi. INF-S7_{7.1} vii. INF-S8_{7.1} viii. INF-S9_{7.1} ix. INF-S10_{7.1} x. INF-S11_{7.1} xi. INF-S12_{7.1} and xii. INF-S13 for any new infrastructure; |

¹³² GWRC [137.69] and Forest and Bird [225.21]

¹³³ Powerco [83.63]


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| | <p>xiii. INF-S14; xiiiiv. INF-S15; xiv. INF-S19; and xvi. The noise rule(s) applying to the zone; and¹³⁴</p> <p>b. Any gas transmission pipeline is located underground.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P1⁹⁸.</p> |
| All zones | <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-S1¹³⁵, INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S8, INF-S9, INF-S10, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15, INF-S19 or the noise rule(s) applying to the zone; or</p> <p>b. Compliance is not achieved with INF-R40-1.b.</p> |
| INF-R41 | New Ttransmission lines and new transformers, substations, switching stations and ancillary buildings for the electricity network, including any ancillary access tracks¹³⁶ |
| All zones | 1. Activity status: Discretionary |
| INF-R42 | Water and wastewater treatment plants |
| All zones | 1. Activity status: Discretionary |
| INF-R43 | New Infrastructure¹³⁷, including any ancillary access tracks, excluding walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas |
| All zones | <p>1. Activity status: Discretionary</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</p> <p>a. Identifying the biodiversity values and potential impacts from the proposal; and</p> <p>b. Demonstrating that the ECO-P2 hierarchy has been applied.</p> |
| INF-R44 | Upgrading of infrastructure and new infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located in an area identified in SCHED 9 - Outstanding Natural Features and Landscapes |
| All zones | 1. Activity status: Discretionary |

¹³⁴ Powerco [83.63]

¹³⁵ Ibid

¹³⁶ Transpower [60.58]

¹³⁷ Transpower [60.59]

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| <p>INF-R45 </p> | <p>New infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located on or within a heritage item, heritage setting, historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites, SCHED6 - Sites and Areas of Significance to Māori,</p> <p>SCHED10 - Special Amenity Landscapes or SCHED 11 - Coastal High Natural Character Areas</p> | |
| <p>All zones</p> | <p>1. Activity status: Discretionary</p> | |
| <p>Standards</p> | | |
| <p>INF-S1</p> | <p>Upgrading</p> | |
| <p>All zones</p> | <p>1. The realignment, relocation or replacement of a telecommunication line, any pipe (excluding a gas transmission pipeline), pole, tower, conductor, cross arm, switch, transformer or ancillary structure must be within 5m of the existing alignment or location.</p> <p>2. A pole must not be replaced with a tower.</p> <p>3. The height of a replacement pole, tower or telecommunication pole must not exceed whichever is the greater of lesser of:</p> <p>c. 25m; or The relevant maximum height in INF-S3; or</p> <p>d. The height of the replaced pole or tower or telecommunication pole as of 28 August 2020 plus 30%;</p> <p>Except that, if the existing pole, tower or telecommunication pole is greater than 25m in height, the height of the replacement pole, tower or telecommunication pole must be no higher than the existing</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |

~~pole, tower or telecommunication pole.~~¹³⁸

4. The diameter or width of a replacement pole or telecommunication pole:
 - a. Must not exceed twice that of the replaced pole at its widest point as of 28 August 2020; or
 - b. 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 as of 28 August 2020 at its widest point.
5. A replacement tower's footprint must not exceed the width of the tower as of 28 August 2020 by more than 25%.
6. The diameter of a replacement conductor or line, ~~either singular or bundled,~~¹³⁹ must not exceed the diameter of the replaced conductor or line or 50mm, whichever is the greater.
7. Additional conductors or lines:
 - a. Must not increase the number of conductors or lines as of 28 August 2020 by more than 100%; and
 - b. Must not exceed a 50mm diameter.
8. There must be no additional towers.
9. The number of additional poles required to achieve the conductor clearances required

¹³⁸ Telcos [51.39]

¹³⁹ WELL [85.25]

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| | <p>by NZECP 34:2001 must not exceed two.</p> <p>10. Additional cross arms <u>on a single pole support structure</u>¹⁴⁰ must not exceed the length of the existing cross arm as of 28 August 2020 by more than 100%, up to a maximum of 4m.</p> <p>11. The diameter of replacement pipes located aboveground must not exceed the diameter of the replaced pipe by more than 300mm.</p> <p>12. The realignment, relocation or replacement of any other infrastructure structure or building:</p> <ol style="list-style-type: none"> a. Must be within 5m of the alignment or location of the original structure or building; b. Must not increase the footprint of structure or building as of 28 August 2020 by greater than 30%. <p>13. A replacement panel antenna must not increase the face area as of 28 August 2020 by more than 20%.</p> <p>14. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20%.</p> | |
| INF-S2 | Upgrading – In relation to historic heritage and sites and areas of significance to Māori | |
| All zones | <ol style="list-style-type: none"> 1. The colour of a replacement antenna must be the same colour as the building or structure. 2. A replacement panel antenna must not increase the | There are no matters of discretion for this standard. |

¹⁴⁰ WELL [85.28]

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| | <p>face area as of 28 August 2020 by more than 20%.</p> <p>3. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20%.</p> | |
| INF-S3 | Height – Masts, antennas, lines and single pole support structures, anemometers and extreme weather devices (not regulated by the NESTF) | |
| Large Format Retail Zone | <p>1. It must not exceed a maximum height above ground level of 20m (single provider).</p> <p>2. It must not exceed a maximum height above ground level of 25m (two or more providers).</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| City Centre Zone | <p>3. It must not exceed a maximum height above ground level of 35m (single provider).</p> <p>4. It must not exceed a maximum height above ground level of 40m (two or more providers).</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is |

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| | | <p>technically or practicably possible to minimise their visual impact;</p> <ol style="list-style-type: none"> 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| General Industrial Zone | <ol style="list-style-type: none"> 5. It must not exceed a maximum height above ground level of 25m (single provider). 6. It must not exceed a maximum height above ground level of 30m (two or more providers). | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits; 2. The effect on the streetscape and amenity of the area; 3. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 4. Design and siting of the mast, pole or support structure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Local Centre Zone Mixed Use Zone Hospital Zone Special Purpose Zone (BRANZ) | <ol style="list-style-type: none"> 7. It must not exceed a maximum height above ground level of 15m (single provider). 8. It must not exceed a maximum height above ground level of 18m (two or more providers). | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably |

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| | | <p>possible to minimise their visual impact;</p> <ol style="list-style-type: none"> 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| <p>Residential Zones</p> <p>Neighbourhood Centre Zone</p> <p>Open Space and Recreation Zones</p> | <p>9. It must not exceed a maximum height above ground level of 12m (single provider).</p> <p>10. It must not exceed a maximum height above ground level of 15m (two or more providers).</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| <p>Rural Zones</p> <p>Future Urban Zone</p> <p>Māori Purpose Zone (Hongoeka)</p> | <p>11. It must not exceed a maximum height above ground level of 25m (single provider).</p> <p>12. It must not exceed a maximum height above ground level of 30m (two or more providers).</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; |

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| | | <ol style="list-style-type: none"> 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S4 | Size – Ground mounted support structures (not regulated by the NESTF) | |
| Residential Zones Rural Zones Commercial and Mixed Use Zones Open Space and Recreation Zones Special Purpose Zone (BRANZ) Future Urban Zone Hospital Zone Māori Purpose Zone (Hongoeka) | <ol style="list-style-type: none"> 1. A support structure must not exceed a maximum width of 1.3m (single provider). 2. A support structure must not exceed a maximum width of 1.5m (two or more providers). | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| General Industrial Zone | 3. A support structure must not exceed a maximum width of 1.5m. | Matters of discretion are restricted to: |

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| | | <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the mast, pole or support structure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S5 Height – Building mounted antennas and associated support structures (not regulated by the NESTF) | | |
| <p>Large Format Retail Zone</p> <p>City Centre Zone</p> <p>General Industrial Zone</p> | <ol style="list-style-type: none"> 1. It must not exceed a maximum height above the highest point of the roof of 5m (single provider). 2. It must not exceed a maximum height above the highest point of the roof of 8m (two or more providers). | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the antenna or support structures; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other constraints make |

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| | | compliance with the permitted standard impractical. |
| Residential Zones | 3. It must not exceed a maximum height above the highest point of the roof of 3.5m (single provider). | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. The extent to which co-location of the infrastructure is technically or practicably possible to minimise their visual impact; 5. Design and siting of the antenna or support structures; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other constraints make compliance with the permitted standard impractical. |
| Rural Zones | | |
| Future Urban Zone | 4. It must not exceed a maximum height above the highest point of the roof of 5m (two or more providers). | |
| Neighbourhood Centre Zone | | |
| Local Centre Zone | | |
| Mixed Use Zone | | |
| Open Space and Recreation Zones | | |
| Special Purpose Zone (BRANZ) | | |
| Hospital Zone | | |
| Māori Purpose Zone (Hongoeka) | | |
| INF-S6 | Size and diameter – Antenna attached to a telecommunication pole (not regulated by the NESTF) | |
| General Rural Zone | 1. It must be contained within a horizontal circle with a maximum diameter of 5m. | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the telecommunication pole and/or antenna; 5. Any operational or functional needs of the infrastructure; and |
| Future Urban Zone | 2. If a panel antenna it must not exceed: <ol style="list-style-type: none"> a. A width of 0.7m; and b. A length of 3.5m. | |
| Large Format Retail Zone | | |
| General Industrial Zone | 3. If a dish antenna it must not exceed a diameter of 1.2m. | |
| Māori Purpose | 4. If an omni directional 'whip' antenna or dipole antenna it must not exceed: <ol style="list-style-type: none"> a. A vertical length of 1.6m; | |
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| Zone (Hongoeka) | <ul style="list-style-type: none"> b. A horizontal length of 1.5m; and c. A diameter of 60mm. | 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Residential Zones Rural Lifestyle Zone Settlement Zone Neighbourhood Centre Zone Local Centres Zone Mixed Use Zone City Centre Zone Open Space and Recreation Zones Special Purpose Zone (BRANZ) Hospital Zone | <p>5. It must be contained within a horizontal circle with a maximum diameter of 750mm.</p> <p>6. If a panel antenna it must not exceed:</p> <ul style="list-style-type: none"> a. A width of 0.7m; and b. A length of 3.5m. <p>7. If a dish antenna it must not exceed a diameter of 0.38m.</p> <p>8. If an omni directional 'whip' antenna or dipole antenna it must not exceed:</p> <ul style="list-style-type: none"> a. A vertical length of 1.6m; and b. A diameter of 60mm. | <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the telecommunication pole and/or antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S7 | Size and diameter – Antenna attached to buildings (not regulated by the NESTF) | |
| Large Format Retail Zone City Centre Zone General Industrial Zone | <p>1. It must not exceed a maximum of:</p> <ul style="list-style-type: none"> a. 2m in diameter if a dish antenna; b. 1.8m² in face¹⁴¹ area if a panel antenna; or c. 60mm in diameter and a horizontal length of 1.5m if an omni directional 'whip' antenna or dipole antenna. | <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; |

¹⁴¹ Telcos [51.56]

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| | | <ol style="list-style-type: none"> 4. Design and siting of the antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Local Centres Zone Mixed Use Zone Rural Zones Future Urban Zone Māori Purpose Zone (Hongoeka) Hospital Zone Special Purpose Zone (BRANZ) | <ol style="list-style-type: none"> 2. It must not exceed a maximum of: <ol style="list-style-type: none"> a. 1.5m in diameter if a dish antenna; b. 1.25m² in face¹⁴² area if a panel antenna; or c. 60mm in diameter and a horizontal length of 1.5m if an omni directional 'whip' antenna or dipole antenna. | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Residential Zones Neighbourhood Centre Zone | <ol style="list-style-type: none"> 3. If attached to the building at a point equal to or above 15m from the ground it must not exceed a maximum of: <ol style="list-style-type: none"> a. 1.5m in diameter if a dish antenna; or b. 1.25m² in face¹⁴³ area if a panel antenna. 4. If attached to the building at a point less than 15m from the ground it must not exceed a maximum of: | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the antenna; |

¹⁴² Ibid

¹⁴³ Ibid

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| | <ul style="list-style-type: none"> a. 1m in diameter if a dish antenna; or b. 0.8m² in area if a panel antenna. <p>5. If an omni directional 'whip' antenna or dipole antenna:</p> <ul style="list-style-type: none"> a. 60mm in diameter; and b. A horizontal length of 1.5m. | <ul style="list-style-type: none"> 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Open Space and Recreation Zones | <p>6. It must not exceed a maximum of:</p> <ul style="list-style-type: none"> a. 1m in diameter if a dish antenna; b. 1m² in face¹⁴⁴ area if a panel antenna; or c. 60mm diameter and 1.5m in horizontal length if an omni directional 'whip' antenna or dipole antenna. | <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the antenna; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S8 | <p>Cabinets, electric vehicle charging stations, temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed (<u>excluding ancillary transport network infrastructure</u>)¹⁴⁵, which are located within the road reserve or rail corridor</p> | |
| Rural Zones Future Urban Zone Large Format Retail Zone | <ul style="list-style-type: none"> 1. It must not exceed a maximum height above ground level of 2m. 2. It must not exceed a maximum area of 2m². | <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the |

¹⁴⁴ Telcos [51.56]

¹⁴⁵ Kāinga Ora [81.325] and Kiwirail [86.42]

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| <p>City Centre Zone</p> <p>General Industrial Zone</p> <p>Open Space and Recreation Zones</p> <p>Māori Purpose Zone (Hongoeka)</p> | | <p>amenity values of the area;</p> <p>3. The amenity of adjoining sites;</p> <p>4. Traffic and pedestrian safety including sightlines and visibility of traffic signage;</p> <p>5. Design and siting of the infrastructure;</p> <p>6. Any operational or functional needs of the infrastructure; and</p> <p>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</p> |
| <p>Residential Zones</p> <p>Neighbourhood Centre Zone</p> <p>Local Centres Zone</p> <p>Mixed Use Zone</p> <p>Hospital Zone</p> <p>Special Purpose Zone (BRANZ)</p> | <p>3. It must not exceed a maximum height above ground level of 1.8m.</p> <p>4. It must not exceed a maximum area of 1.4m².</p> | <p>Matters of discretion are restricted to:</p> <p>1. Local, regional and national benefits of the infrastructure;</p> <p>2. Any adverse effects on the streetscape and the amenity values of the area;</p> <p>3. The amenity of adjoining sites;</p> <p>4. Traffic and pedestrian safety including sightlines and visibility of traffic signage;</p> <p>5. Design and siting of the infrastructure;</p> <p>6. Any operational or functional needs of the infrastructure; and</p> <p>7. Any topographical and other site constraints make compliance with the permitted standard impractical.</p> |
| <p>INF-S9</p> | <p>Cabinets, electric vehicle charging stations and temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed, which are not located within the road reserve or rail corridor</p> | |
| <p>All zones</p> | <p>1. It must not exceed a maximum height above ground level of 4m.</p> | <p>Matters of discretion are restricted to:</p> |

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| | 2. It must not exceed a maximum area of 15m ² . | <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the cabinet; 5. Whether there are difficult ground conditions or any technological, operational or topographical reasons why the network utility cannot be placed underground; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S10 | Meteorological enclosures and buildings | |
| All zones | <ol style="list-style-type: none"> 1. It must not exceed a maximum height above ground level of 4m. 2. It must not exceed a maximum area of 30m². | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |

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| INF-S11 | | |
| Setbacks – Infrastructure that is not located in the road reserve or rail corridor, excluding infrastructure that crosses a river along a bridge or structure | | |
| All zones | <p>1. It must not be located within a riparian margin or coastal margin.</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The natural character and amenity values of the waterbody or coast and their margins; 3. Any increase the risk of natural hazards; 4. Impacts on public access to and along the waterbody or coast; and 5. Any operational or functional needs of the infrastructure. |
| INF-S12 | | |
| Setbacks – Support structures and antenna not located in the road reserve or rail corridor | | |
| General Industrial Zone | <p>1. It must not be located within a 10m setback from a site boundary that adjoins a General Residential Zone or Medium Density Residential Zone.</p> <p>This standard does not apply to the boundary of the road or rail corridor.</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| Rural Zones Future Urban Zone Māori Purpose | <p>2. It must not be located within:</p> <ol style="list-style-type: none"> a. A 10m setback from any site boundary that adjoins a General Residential Zone or Medium Density Residential Zone; | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the |

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| Zone (Hongoeka) | <p>b. A 20m setback from the closest wall of any residential unit located on an adjacent site, where the support structure or antenna is under 25m in height;</p> <p>c. A 50m setback from the closest wall of any residential unit located on an adjacent site, where the support structure or antenna is over 25m in height.</p> <p>This standard does not apply to the boundary of the road reserve or rail corridor.</p> | <p>amenity values of the area;</p> <p>3. The amenity of adjoining sites;</p> <p>4. Design and siting of the infrastructure;</p> <p>5. Any operational or functional needs of the infrastructure; and</p> <p>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</p> |
| Residential Zones | <p>3. It must not be located within a 10m setback from any site boundary.</p> <p>This standard does not apply to the boundary of the road or rail corridor.</p> | <p>Matters of discretion are restricted to:</p> <p>1. Local, regional and national benefits of the infrastructure;</p> <p>2. Any adverse effects on the streetscape and the amenity values of the area;</p> <p>3. The amenity of adjoining sites;</p> <p>4. Design and siting of the infrastructure;</p> <p>5. Any operational or functional needs of the infrastructure; and</p> <p>6. Any topographical and other site constraints make compliance with the permitted standard impractical.</p> |
| Open Space and Recreation Zones Neighbourhood Centre Zone Local Centres Zone Mixed Use Zone Hospital Zone | <p>4. It must not be located within a 10m setback from a site boundary that adjoins any of the following zones:</p> <p>a. General Residential Zone;</p> <p>b. Medium Density Residential Zone;</p> <p>c. Rural Lifestyle Zone;</p> <p>d. Settlement Zone;</p> <p>e. General Rural Zone; or</p> <p>f. Future Urban Zone.</p> | <p>Matters of discretion are restricted to:</p> <p>1. Local, regional and national benefits of the infrastructure;</p> <p>2. Any adverse effects on the streetscape and the amenity values of the area;</p> <p>3. The amenity of adjoining sites;</p> <p>4. Design and siting of the infrastructure;</p> |

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| Special Purpose Zone (BRANZ) | This standard does not apply to the boundary of the road or rail corridor. | <ol style="list-style-type: none"> 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints make compliance with the permitted standard impractical. |
| INF-S13 Setbacks – Cabinets, electric vehicle charging stations and temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, meteorological enclosures and buildings and any other infrastructure structure or building <u>located above ground</u>¹⁴⁶ not otherwise listed, which is not located within the road reserve or rail corridor | | |
| All zones | <ol style="list-style-type: none"> 1. It must not be located within a 2m setback from any site boundary. | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; and 6. Any topographical and other site constraints that make compliance with the permitted standard impractical. |
| INF-S14 Earthworks – Slope, height, depth and location | | |
| All zones | <ol style="list-style-type: none"> 1. Earthworks must not be undertaken on an existing slope with an angle of 34° or greater. 2. Earthworks must not exceed 1.5m in cut height or fill depth, except: <ol style="list-style-type: none"> a. Where the earthworks are for trenching, <u>directional drilling or augured</u> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The natural character of any riparian margin or coastal margin; 3. Design and siting of the infrastructure; |

¹⁴⁶ Powerco [83.71]

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| | <p><u>holes</u>¹⁴⁷ for the construction, operation, maintenance and repair, removal or upgrade of <u>underground</u>¹⁴⁸ infrastructure; <u>and/or</u>¹⁴⁹</p> <p>b. Where the earthworks are associated with switchback sections for the <u>development of new and construction, maintenance or upgrade</u> of <u>existing</u>¹⁵⁰ walkways, cycleways and shared paths that are located on public land other than a road.</p> <p>3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except:</p> <p>a. Where the earthworks are for trenching, <u>directional drilling or augured holes</u>¹⁵¹ for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure; or</p> <p>b. Where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works.</p> <p>4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of <u>underground</u> infrastructure undertaken within 1.0m <u>a the</u> site boundary must not:</p> <p><u>i. e</u> <u>Ex</u>ceed 1.<u>50</u>m in depth; <u>or</u></p> | <p>4. Any operational or functional needs of the infrastructure;</p> <p>5. Retention of silt and sediment on the site;</p> <p>6. Any topographical and other site constraints that make compliance with the permitted standard impractical; and</p> <p>7. The matters in EW-P1.</p> |
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¹⁴⁷ Powerco [83.72]

¹⁴⁸ Ibid

¹⁴⁹ Ibid

¹⁵⁰ PCC [11.8]

¹⁵¹ Powerco [83.73]

ii. Be undertaken within 1.5m of a foundation of a building or structure on any adjacent sites.¹⁵²

5. Earthworks associated with the development of new and construction, maintenance or upgrade of existing¹⁵³

walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically, where the activities are undertaken by:

- a. Porirua City Council;
- b. Greater Wellington Regional Council;
- c. Department of Conservation; or
- d. A nominated contractor or agent of an organisation listed in (a) to (c).

6. Earthworks must not be carried out within 5m of a river, except:

- a. Where the earthworks are for the installation, maintenance and repair, removal or upgrade of infrastructure located on or within existing bridges or structure crossing a stream-; or

b. Where the earthworks are for the installation of infrastructure by directional drilling.¹⁵⁴

7. As soon as practical, but no later than three months after the completion of the works,

¹⁵² Kāinga Ora [81.331]

¹⁵³ PCC [11.8]

¹⁵⁴ Powerco [83.75]

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| | <p>the earthworks area must be stabilised with vegetation or sealed, paved, metaled or built over.</p> <p>8. All silt and sediment must be retained on the site.</p> <p>9. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> • Earthworks undertaken by Transpower to achieve the ground to conductor clearance required by NZECP34:2001; • Any earthworks associated with any maintenance and repair works <u>for roads within the formed road width or</u>¹⁵⁵ walkways, cycleways and shared paths within road reserves; • Any earthworks associated with any building or structure used for infrastructure purposes that are within 2m of the exterior walls of the building or structure, measured in plan view; or • Any piling associated with a support structure that is within 2m of an existing support structure or necessary to install a support structure. | |
| INF-S15 | Earthworks – Area limit in a 12 month period per site, excluding the road reserve and rail corridor | |
| All zones | 1. No area limits apply to earthworks required for | Matters of discretion are restricted to: |

¹⁵⁵ Kāinga Ora [81.331]

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| | <p>trenching for the construction, operation, maintenance and repair, removal or upgrade of underground¹⁵⁶ infrastructure where the trenching:</p> <ol style="list-style-type: none"> a. Is undertaken by Porirua City Council or a network utility operator, or a nominated contractor or agent; b. Does not result in an increase in height of the ground level upon completion of the works; and c. Is progressively closed so that no more than 120m of trench is open at any time. <p>2. No area limits apply to earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road where the activities are undertaken by:</p> <ol style="list-style-type: none"> a. Porirua City Council; b. Greater Wellington Regional Council; c. Department of Conservation; or d. A nominated contractor or agent of an organisation listed in (a) to (c). | <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The natural character and amenity values of any riparian margin or coastal margin; 3. The matters of discretion in EW-S1; 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; 6. Any topographical and other site constraints make compliance with the permitted standard impractical; and 7. Any adverse effects from traffic movements on the transport network and amenity values. |
| <p>Riparian Margins</p> <p>Coastal Margins</p> | <ol style="list-style-type: none"> 1. The maximum area must be no greater than 25m². | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The natural character and amenity values of any riparian margin or coastal margin; 3. The matters of discretion in EW-S1; |

¹⁵⁶ Powerco [83.77]

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| | | <ol style="list-style-type: none"> 4. Design and siting of the infrastructure; 5. Any operational or functional needs of the infrastructure; 6. Any topographical and other site constraints make compliance with the permitted standard impractical; and 7. Any adverse effects from traffic movements on the transport network and amenity values. |
| Residential Zones Settlement Zone Neighbourhood Centre Zone | <p>2. The maximum area must be no greater than 250m².</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Any topographical and other site constraints make compliance with the permitted standard impractical; and 6. Any adverse effects from traffic movements on the transport network and amenity values. |
| General Rural Zone Rural Lifestyle Zone Future Urban Zone Special Purpose Zone (BRANZ) Māori Purpose Zone (Hongoeka) | <p>4. The maximum area must be no greater than 1000m².</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Any topographical and other site constraints make compliance with the permitted standard impractical; and |

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| | | 6. Any adverse effects from traffic movements on the transport network and amenity values. |
| Local Centre Zone Large Format Retail Zone Mixed Use Zone City Centre Zone General Industrial zone Hospital Zone | 5. The maximum area must be no greater than 400m ² . | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Any topographical and other site constraints make compliance with the permitted standard impractical; and 6. Any adverse effects from traffic movements on the transport network and amenity values. |
| Open Space and Recreation Zones | 6. The maximum area must be no greater than 500m ² . | Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Any topographical and other site constraints make compliance with the permitted standard impractical; and 6. Any adverse effects from traffic movements on the transport network and amenity values. |
| INF-S16 | Earthworks – In relation to Historic Heritage and Sites and Areas of Significance to Māori | |
| All zones | 1. The earthworks <u>must not exceed</u> are limited to | There are no matters of discretion for this standard. |

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| | <p>trenching less than 600mm in width.¹⁵⁷</p> <p><u>2. The earthworks must be located</u>¹⁵⁸ directly above existing underground infrastructure.¹⁵⁹</p> | |
| INF-S17 | Earthworks <u>and indigenous vegetation removal</u> – In relation to Outstanding Natural Features and Landscapes, Special Amenity Landscapes and Coastal High Natural Character Areas | |
| All zones | <p>1. The earthworks must not exceed:</p> <ol style="list-style-type: none"> a. A maximum cut height or fill depth greater than 1.0m measured from existing ground level; or b. Where the earthworks are associated with the <u>development of new and construction,</u> maintenance <u>or upgrade</u> of <u>existing</u>¹⁶⁰ walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent: <ol style="list-style-type: none"> i. 1.5m cut height or fill depth; or ii. 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically; and iii. 2.5m in width. <p>2. The earthworks must not exceed within a continuous</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Design and siting of the infrastructure; 3. Any operational or functional needs of the infrastructure; 4. Any topographical and other site constraints make compliance with the permitted standard impractical; 5. The matters in EW-P1; and 6. The matters in NFL-P6. |

¹⁵⁷ Telcos [51.59]

¹⁵⁸ Ibid

¹⁵⁹ Clause 16 minor amendment

¹⁶⁰ PCC [11.10]

five year period, a maximum disturbance area of:

- a. 50m² within an area identified in SCHED9 - Outstanding Natural Features and Landscapes; or
- b. 50m² within an area identified in SCHED11 - Coastal High Natural Character Areas; or
- c. 350m² within an area identified in SCHED10 - Special Amenity Landscapes; or
- d. 250m² within an area identified in SCHED10 - Special Amenity Landscapes within the General Rural Zone.

3. Removal of indigenous vegetation must not exceed, in total area:

- a. 50m² within any five year continuous period per site within an Outstanding Natural Features and Landscape;
or
- b. 100m² within any five year continuous period per site within a Special Amenity Landscape.

4. Within a Coastal High Natural Character Area, removal of indigenous vegetation must only be undertaken:

- a. Within the formed width of a road;
- b. Within 2m of the footprint of existing infrastructure and either side of an associated access track or fence; or
- c. For the purpose of addressing an imminent threat to people or property represented by

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| | <p><u>deadwood, diseased or dying vegetation</u>;¹⁶¹</p> <p>Except that:</p> <ul style="list-style-type: none"> Where the earthworks are associated with the <u>development of new and construction, maintenance or upgrade</u> of <u>existing</u>¹⁶² walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent, no maximum disturbance area applies. | |
| INF-S18 | Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas | |
| All zones | <p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <ol style="list-style-type: none"> Within 2m of the footprint of the existing infrastructure and either side of an associated access track or fence; and No more than 20m² of indigenous vegetation within any 12 month period; or 2.5m in total width with no maximum area except that no tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground, and where the activities are associated with the structures required¹⁶³ | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Local, regional and national benefits of the infrastructure; Design and siting of the infrastructure; Any operational or functional needs of the infrastructure.; Any topographical and other site constraints make compliance with the standard impractical; The matters in ECO-P2; and The matters in ECO-P4. |

¹⁶¹ Forest and Bird [225.142]

¹⁶² PCC [11.10]

¹⁶³ Waka Kotahi [82.79]

for development of new or construction, maintenance, or upgrade of existing¹⁶⁴ walkways, cycleways and shared paths that are located on public land other than a road and:

- i. The works are undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent; and
- ii. No tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground.¹⁶⁵

This standard does not apply to:

- Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or
- Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001.
- Indigenous vegetation to be trimmed, pruned or removed where the works are controlled by regulation 31 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.¹⁶⁶

INF-S19

Trimming, pruning, removal or works within the root protection area of a tree identified in SCHED5 - Notable Trees

¹⁶⁴ PCC [11.11]

¹⁶⁵ Waka Kotahi [82.79]

¹⁶⁶ Transpower [60.50]

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| <p>All zones</p> | <ol style="list-style-type: none"> 1. Any trimming or pruning: <ol style="list-style-type: none"> a. Must not exceed a branch diameter of 50mm at severance unless it is the removal of deadwood; b. Retains the natural shape, form and branch habitat of the tree; and c. Is undertaken or supervised by a works arborist. 2. Works within the root protection area must only undertaken where: <ol style="list-style-type: none"> a. The works are undertaken or supervised by a technician arborist; b. Any machinery associated with undertaking the earthworks is operated on top of paved surfaces and/or ground protection measures; c. Any excavation is undertaken by: <ol style="list-style-type: none"> i. Hand-digging, air spade, or hydro vac, <u>where it is an open cut excavation</u>; or ii. <u>Directional drilling machine where the excavation is</u> at a depth of 1m or greater;¹⁶⁷ d. The pruning of roots is limited to roots 35mm in diameter or less at the point of severance; and e. The works do not create new impermeable surfaces (including sealing, paving, soil compaction), buildings or structures within the root protection area; and | <p>There are no matters of discretion for this standard.</p> |
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¹⁶⁷ Jeremy Partridge [103.9] consequential amendment

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| | <p>f. The works will affect less than 10% of the protected root zone <u>area</u>¹⁶⁸.</p> <p>3. Removal of a tree must only be undertaken where:</p> <ol style="list-style-type: none"> a. It is essential due to a serious imminent threat to the safety of people or property; b. The tree is confirmed to be dead or in terminal decline¹⁶⁹ by a technician arborist; c. Porirua City Council is advised as soon as reasonably practicable prior to work commencing; d. The works are undertaken or supervised by a technician arborist; and e. Porirua City Council is provided with written documentation by a technician arborist confirming that the works were necessary and undertaken in accordance with good arboricultural practice no more than 10 working days after the works have been completed. <p><u>Note: Works essential due to a serious imminent threat to the safety of people or property under INF-S19-3.a includes those works required under and carried out in accordance with regulation 14 of the Electricity (Hazards from Trees) Regulations 2003.</u>¹⁷⁰</p> | |
| INF-S20 | Earthworks within an area identified in SCHED7 - Significant Natural Areas | |

¹⁶⁸ Clause 16 minor amendment

¹⁶⁹ Jeremy Partridge [103.8] consequential amendment

¹⁷⁰ WELL [85.33]

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| All zones | <p>1. The earthworks do not result in the removal of more than 20m² of indigenous vegetation within any 12 month period.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> • Earthworks required for the operation or maintenance of the formed width of existing access tracks or existing underground infrastructure where the earthworks are limited to within 2m either side of the existing infrastructure, or associated access track or fence; or • Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the earthworks are limited to a total width of 2.5m. | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Design and siting of the infrastructure; 3. Any operational or functional needs of the infrastructure; 4. Any topographical or other site constraints that make compliance with the permitted standard impractical; 5. Erosion and sediment controls and treatment of earthworks areas; 6. The matters in ECO-P11; and 7. The matters in ECO-P4. |
| INF-S21 | Signs | |
| All zones | <p>1. All signs associated with construction, maintenance and repair, or upgrading of infrastructure on a site visible from outside the site must:</p> <ol style="list-style-type: none"> a. Be installed no sooner than three months prior to any works commencing; b. Be removed no later than 1 month after completion of the works; and | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The functional and operational needs of the infrastructure; 2. The benefits of the infrastructure; 3. The purpose and necessity of the sign; 4. Illumination; 5. Location; and |

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| | <p>c. Not exceed a combined area of 3m².</p> <p>2. All signs associated with operation of infrastructure on a site visible from outside the site, other than traffic signs, railway signs or directional signs, must not exceed a combined area of 3m².</p> | <p>6. The impact on the safe and efficient operation of other infrastructure.</p> |
| INF-S22 | Classification of roads | |
| All zones | <p>1. National, Regional and Arterial roads must be classified according to the Waka Kotahi New Zealand Transport Agency One Network Road Classification.</p> <p>2. Collector and Access Roads must be classified according to INF-Table 1 (Road design standards).</p> | <p>There are no matters of discretion for this standard.</p> |
| INF-S23 | Design of roads | |
| All zones | <p>1. Access Roads must not be permanent no-exit roads- <u>except where:</u></p> <p><u>a. The anticipated AADT of the road is less than 200;</u></p> <p><u>b. The length of the road is less than 100m; and</u></p> <p><u>c. The no-exit road does not connect to a road that is itself a no-exit road.</u>¹⁷¹</p> <p>2. Roads must provide for two-way traffic in accordance with INF-Table 1 (Road design standards).</p> <p>3. Roads must be designed to achieve design target <u>operating</u>¹⁷² speeds in accordance with INF-Table 1 (Road design standards).</p> | <p>There are no matters of discretion for this standard.</p> |

¹⁷¹ Kāinga Ora [81.930]

¹⁷² Ibid

4. The width of any road must comply with the minimum widths in accordance with INF-Table 1 (Road design standards):

- a. Minimum ~~total~~, legal width; ~~and~~
- b. Minimum carriageway width to provide for:
 - i. Vehicles;
 - ii. Parking; and
 - iii. Cycles;
- c. Minimum berm width to provide for
 - ~~iv.~~ Pedestrians;
 - ~~iiiv.~~ Infrastructure; and
 - ~~viii.~~ Street trees.¹⁷³

5. Pedestrian walkways, cycleways and shared paths within a road reserve¹⁷⁴ must be designed in accordance with the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) or Waka Kotahi Pedestrian Planning and Design Guide (2009).¹⁷⁵

6. No-exit roads must have a turning head with a The minimum radius of 9.5m design vehicle used for a road turning head must be a 4.91m x 1.87m vehicle (85th percentile vehicle).¹⁷⁶

7. The maximum gradient of roads must be 10% in accordance with INF-Table 1 (Road design standards).¹⁷⁷

8. Curves in roads must meet the following minimum values:

- a. K Values for crest vertical curves and sag vertical

¹⁷³ Ibid

¹⁷⁴ Ibid

¹⁷⁵ Waka Kotahi [82.82]

¹⁷⁶ Kāinga Ora [81.930]

¹⁷⁷ Ibid

~~curves must be in accordance with INF-Table 3; and~~
~~b. R Values for horizontal curves must be in accordance with INF-Table 3.~~¹⁷⁸

8. Roads must be designed to achieve the standards in INF-Table 1 (Road design standards) within the zones specified in INF-Table 1 (Road design standards).¹⁷⁹

9. Retaining structures must not be constructed within the road's reserve.¹⁸⁰

10. Street trees must be provided in accordance with:

- a. The requirements of INF-Table 1 (Road design standards);
- b. Street trees must not be planted in the infrastructure berm;
- c. When street trees are required in accordance with INF-Table 1, they must be provided in accordance with the number of trees per size class at maturity set out in INF-Table 2;
- d. Street tree planting must meet the requirements set out in INF-Table 2 for the following:
 - i. Horizontal setback distances from underground infrastructure;
 - ii. Horizontal setback distances from structures;
 - iii. Minimum berm width;

¹⁷⁸ Ibid

¹⁷⁹ Ibid

¹⁸⁰ Kāinga Ora [81.930] and Carrus Corporation Ltd [68.19]

- iv. Minimum topsoil depth;
- v. Minimum soil volume; and
- ~~e. Planting of road gardens other than street trees, mown grass or stormwater management planting must occur only in the City Centre Zone, Local Centre Zone, Neighbourhood Centre Zone or Mixed Use Zone.¹⁸¹~~

11. Streetlighting must be provided in accordance with the following:

- a. Streetlighting must be designed in accordance with NZ Transport Agency document M30 Specification and Guidelines for Road Lighting Design (2014);
- b. Streetlighting bulbs must be on the NZ Transport Agency List of M30 Approved Luminaires (2020);
- c. Streetlighting columns must be in accordance with the NZ Transport Agency M26:2012 and M26A:2017 Specification for Lighting Columns; and
- d. Streetlighting columns in Access Roads and Collector Roads must be a minimum of 8m in height.

¹⁸¹ Kenepuru Limited Partnership [59.16] and Kāinga Ora [81.340]

| INF-Table 1 | | Road design standards | | | | | | | | |
|--|---|--|--|--------------------------------|---|---|---|---|---|--|
| Classification | | Access Road | | | | | Collector Road | | | |
| Classification criteria (must meet all criteria) | Typical daily traffic (annual average daily traffic movements) | <u>1-200</u> | 1- 42 ,000 | | | <u>1-1,000</u> | <u>2,000-8,000</u> | <u>42,000-58,000</u> | | <u>1,000-2,500</u> |
| | <u>Residential units</u> | <u>20</u> | <u>200</u> | - | | <u>150</u> | <u>800</u> | - | | <u>250</u> |
| | <u>Heavy commercial vehicles</u> (annual average daily traffic movements) | | <u>1-25</u> | <u>1-25</u> | | | | <u>25-300</u> | | |
| | <u>Buses</u> (urban peak) | | <u>0</u> | <u>0</u> | | | | <u>1-15 buses; or 1-750 people per hour</u> | | |
| | <u>Maximum length</u> | <u>100m where the road is a no-exit road</u> | - | | - | | - | | - | |
| Zone | | <u>General Residential Zone, Medium Density Residential Zone</u> | <u>General Residential Zone, Medium Density Residential Zone</u> | <u>General Industrial Zone</u> | <u>All other Urban Zones</u> | <u>General Rural Zone, Rural Lifestyle Zone, Settlement Zone, Open Space Zone, Māori Purpose Zone (Hongoeka) and Special Purpose Zone (BRANZ)</u> | <u>General Residential Zone, Medium Density Residential Zone, General Industrial Zone</u> | <u>All other zones except General Rural Zone and Rural Lifestyle Zone</u> | <u>General Rural Zone and Rural Lifestyle Zone</u> | <u>General Rural Zone and Rural Lifestyle Zone</u> |
| <u>Design Target operating speed</u> (km/h) | | <u>20¹</u> | <u>40¹</u> | <u>40¹</u> | <u>40¹</u> | <u>40</u> | <u>50</u> | <u>50</u> | <u>80</u> | <u>60</u> |
| <u>Maximum gradient</u> | | | | | <u>10% or 12.5% for maximum 85m in any one length</u> | <u>10% or 12.5% for maximum 85m in any one length</u> | | <u>10% or 12.5% for maximum 85m in any one length</u> | <u>10% or 12.5% for maximum 85m in any one length</u> | |
| | <u>Parking</u> | <u>1 x 2.1</u> | <u>1 x 2.1</u> | <u>2 x 2.1</u> | <u>1 x 2.15</u> | - | <u>2 x 2.5</u> | <u>2 x 2.5</u> | <u>2 x 2.5</u> | - |

| | | | | | | | | | | | | |
|------------------------|--|-------------------------------|-------------------------------|-------------------------------|---|---|--------------------------------------|--------------------|-----------------------------------|--------------------|--|----------------|
| Minimum width (m) | Traffic (must provide unhindered vehicle access) | <u>2 x 3.0²</u> | <u>2 x 3.0²</u> | <u>2 x 4.2</u> | 2 x 3.0 ² | 2 x 3.0 + 2 x 0.5 sealed shoulders | | <u>2 x 4.2</u> | 2 x 3.0 4.2 | 2 x 3.0 | <u>2 x 3.5</u> + 2 x 0.75 sealed shoulders | |
| | Cycles | <u>Shared in traffic lane</u> | <u>Shared in traffic lane</u> | <u>Shared in traffic lane</u> | <u>2 x 1.5</u> <u>Shared in traffic lane</u> | 2 x 1.5 | <u>1 x 2.5</u> <u>Shared path</u> | <u>2 x 1.8</u> | 2 x 1.5 8 | 1 x 3.0 | <u>1 x 3.0</u> <u>Shared path</u> | |
| | Footpath | <u>1 x 1.8</u> | <u>2 x 1.8</u> | <u>2 x 1.8</u> | 2 x 1.5 2.5 ³ | 2 x 1.5 | | <u>2 x 2.0</u> | 2 x 2.5 0 ³ | - | | |
| | Infrastructure berm | <u>1.0</u> | <u>1.0</u> | <u>1.0</u> | 1.0 | 1.0 | | <u>1.0</u> | 1.0 | 1.0 | <u>1.0</u> | |
| | Street tree berm | <u>2.0</u> | <u>2.5</u> | <u>2.5</u> | 3.0 2.5 | - | | <u>3.0</u> | 3.0 | - | | |
| | <u>Total berm width</u> | <u>1 x 2.5</u> | <u>1 x 2.8</u> | <u>1 x 2.8</u> | <u>1 x 3.5</u> | | | <u>1 x 3.0</u> | <u>1 x 3.5</u> | | | <u>2 x 3.5</u> |
| | | <u>1 x 2.8</u> | <u>1 x 4.3</u> | <u>1 x 4.3</u> | <u>1 x 5.0</u> | | <u>2 x 3.5</u> | <u>1 x 5.0</u> | <u>1 x 5.5</u> | | | |
| Legal width | <u>14.0</u> | <u>16.0</u> | <u>20.0</u> | <u>219.0</u> | | <u>215.0</u> | <u>25.0</u> | <u>263.0</u> | <u>23.0</u> | | <u>20.0</u> | |
| Number of street trees | <u>As per INF-Table 2</u> | <u>As per INF-Table 2</u> | <u>As per INF-Table 2</u> | As per INF-Table 2 | - | | <u>As per INF-Table 2</u> | As per INF-Table 2 | - | | = | |

Notes:

¹ Speed management measures may be required to achieve the specified target operating speed

² The carriageway width must be widened to 6.7 metres for bends where the outer radius of the traffic lane is 50 metres or less

³ The footpath width must be a minimum of 3.5 metres within Commercial and Mixed Use Zones identified with an Active Street Frontage control shown on the planning maps.

| INF-Table 2 Street trees ²⁰⁰ | | | | |
|---|---|---------------|---------------|---------------------------|
| Size class at maturity (stem diameter at 1.5m above ground) | <300mm | 300-600mm | >600mm | |
| Height at maturity | 8 | 10 | 25 | |
| Minimum number of trees per 1000m² of road reserve | <u>8.0</u> | <u>6.0</u> | <u>4.0</u> | |
| Horizontal setback distances from underground infrastructure (m) | <ul style="list-style-type: none"> • Manholes, drainage catchments, surface openings for underground infrastructure • Trunk water mains • Stormwater pipes >300mm diameter • Sewer pipes >300mm diameter • Distribution gas pipelines • <u>Telecommunication and electricity</u> Distribution or customer connection electricity lines²⁰¹ | <u>1.0.50</u> | 1.5 | 3.0 |
| | <ul style="list-style-type: none"> • <u>Gas distribution pipelines</u> | <u>3.0</u> | <u>3.0</u> | <u>3.0</u> ²⁰² |
| | <ul style="list-style-type: none"> • Gas Transmission gas pipelines • <u>Electricity T</u>ransmission electricity lines | <u>43.0</u> | <u>43.0</u> | <u>43.0</u> |
| Horizontal setback distances from structures (m) | <ul style="list-style-type: none"> • Hard surfaces (footpaths etc) • Road curbs • Vehicle crossings • Masonry walls • <u>Block paving, cobbles and paving slabs</u> | <u>0.675</u> | 1.0 | 1.5 |
| | <ul style="list-style-type: none"> • <u>Vehicle crossings</u> • <u>Masonry walls</u> | <u>1.0</u> | <u>1.0</u> | <u>1.5</u> |
| | <ul style="list-style-type: none"> • <u>Pedestrians crossings and ramps</u> | <u>2.5</u> | <u>2.5</u> | <u>2.5</u> |
| | <ul style="list-style-type: none"> • Pavers | <u>1.0.7</u> | 1.5 | 3.0 |

²⁰⁰ PCC [11.13] (all amendments in table, unless otherwise identified)

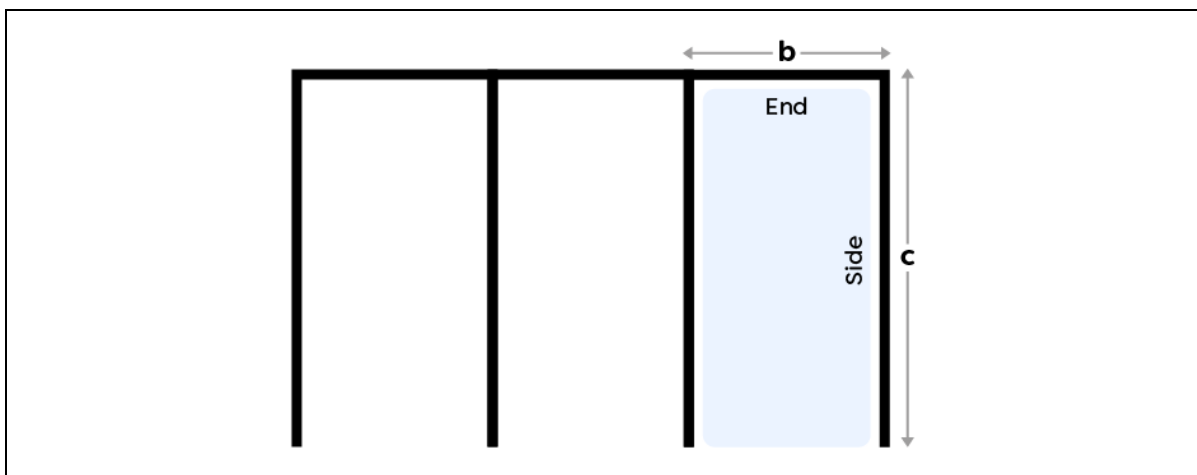
²⁰¹ Telcos [51.63]

²⁰² Powerco [83.83]

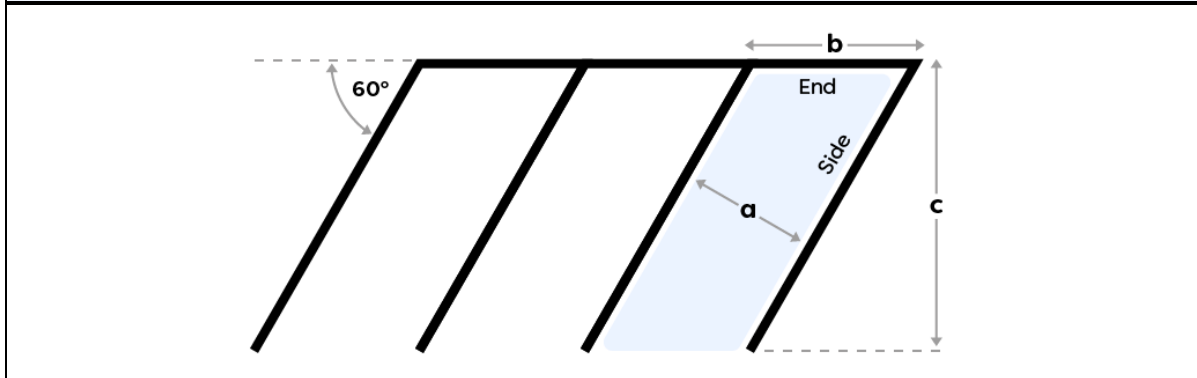
| | | | | |
|---|--|---|--|------|
| | <ul style="list-style-type: none"> • Lightly loaded structures (bus shelters, garages etc) • Heavily loaded structures (houses etc) | | | |
| | <ul style="list-style-type: none"> • Street lights | 5.0 | 5.0 | 8.0 |
| Minimum berm width (m) | | 1.5 | 2.0 | 3.0 |
| Minimum topsoil depth (m) | | 0.56 | 0.6 | 0.6 |
| Minimum soil volume (m³) | | 10.0 | 12.0 | 20.0 |
| INF-Table 3 Road vertical curves and horizontal curves²⁰³ | | | | |
| Operating speed (km/h) | Minimum-K value for crest vertical curves | Minimum-K value for sag vertical curves | Minimum-R value for horizontal curves | |
| <20 | 15 | 3 | 20 | |
| 21-30 | 17 | 3 | 30 | |
| 31-40 | 20 | 3 | 40 | |
| 41-50 | 33 | 4 | 50 | |
| 51-60 | 50 | 6 | Specific design | |
| 61-70 | 71 | 8 | Specific design | |
| 71-80 | 100 | 10 | Specific design | |
| INF-S24 Parking spaces in roads | | | | |
| All zones | <p>1. Car parking spaces in roads must <u>be parallel to the traffic lane and</u> meet the <u>following minimum dimensions of INF-Table-4</u>:</p> <p><u>a. Width of 2.1m; and</u> <u>b. Length of:</u></p> <p><u>i. 5m for an unobstructed end space;</u> <u>ii. 6.3m for an intermediate space (between other car spaces); or</u> <u>iii. 6.6m for an end obstructed space.</u>²⁰⁴</p> | There are no matters of discretion for this standard. | | |
| INF-Table 4 Parking space dimensions²⁰⁵ | | | | |

²⁰³ Kāinga Ora [81.930]²⁰⁴ Kāinga Ora [81.930]²⁰⁵ Kāinga Ora [81.930]

| Parking space type | Dimension a* (m) | Dimension b* (m) | Dimension c* (m) |
|--|-------------------------|-------------------------|-------------------------|
| Parallel (permanently unobstructed sides and ends) | - | 2.2 | 6.0 |
| Additional clearance requirement for each obstructed side or end (e.g. fence, wall, column) | - | +0.3 | +0.3 |
| Perpendicular (permanently unobstructed sides and ends) | - | 2.5 | 5.0 |
| Additional clearance requirement for each obstructed side or end (e.g. fence, wall, column or inside garage) | - | +0.3 | +0.3 |
| Additional clearance requirement both ends obstructed (e.g. inside garage) | - | - | +0.6 |
| Angle – 60° (permanently unobstructed sides) | 2.6 | 3.0 | 5.6 |
| Additional clearance requirement for each obstructed side (e.g. fence, wall, column) | +0.3 | +0.33 | - |
| - * Dimensions a, b and c are shown in INF-Figure 1, INF-Figure 2 and INF-Figure 3. | | | |
| INF-Figure 1 Parallel parking | | | |
| | | | |
| INF-Figure 2 Perpendicular parking | | | |



INF-Figure 3 Angle parking



INF-S25 Intersections ~~involving roads or a Vehicle Access Level 4~~²⁰⁶

| | | |
|-------------------------|--|--|
| <p>All zones</p> | <ol style="list-style-type: none"> 1. Intersections must be designed to ensure safe connectivity of roads for all road users and must take into account the expected traffic flows once development is complete. 2. Intersections must be formed at 90°. <u>3. Intersections must not be located within the intersection separation distances set out in INF-Table 4.</u>²⁰⁷ <u>43.</u> Minimum sight distances at intersections must be in accordance with Distance X and Distance Y as shown in | <p>There are no matters of discretion for this standard.</p> |
|-------------------------|--|--|

²⁰⁶ Kāinga Ora [81.930]

²⁰⁷ Kāinga Ora [81.930]

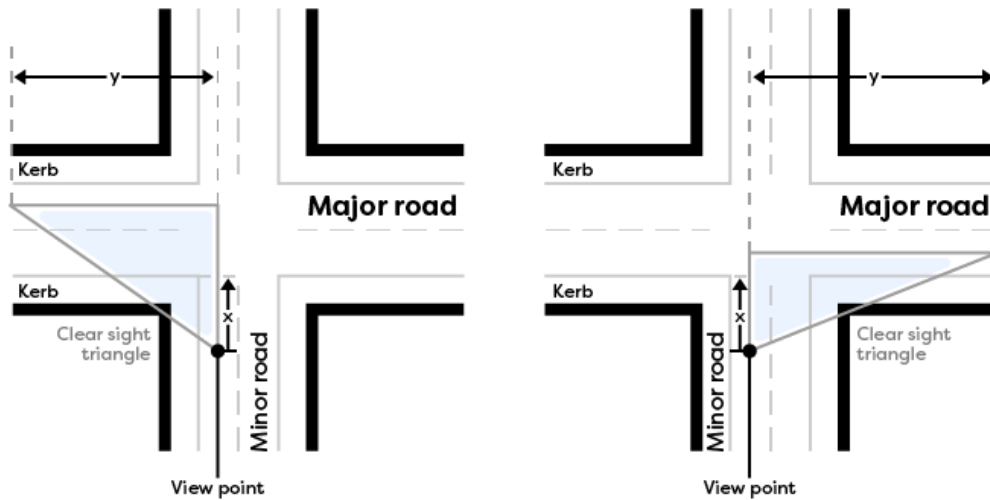
INF-Figure 41 and INF-Table 53.

4. Intersections must not have more than three approaches.

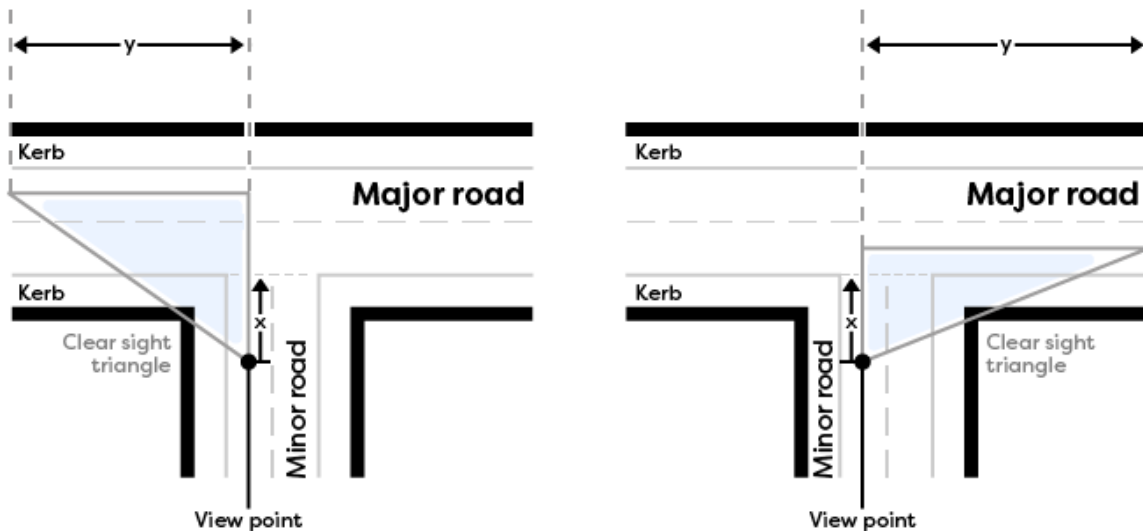
5. Intersections must not include roundabouts or be signalised.

INF-Figure 41 Minimum sight distances at intersections

Delete:



Insert:



INF-Table 53 Minimum sight distances at intersections

| Operating speed (km/h) of major road | Distance X (m) (see INF-Figure 4) | Distance Y (m) (see INF-Figure 4) | |
|--------------------------------------|-----------------------------------|-----------------------------------|----------------|
| | | Access road | Collector road |
| | | | |

| | | | |
|---|--|--|-------------------------------|
| 40 ²⁰⁸ | 5 | 35 | 75 ⁰ |
| 41-50 | 5 | 45 | 90 <u>100</u> |
| 51-60 | 65 | 65 | 115 <u>125</u> |
| 61-70 | 65 | 85 | 140 <u>155</u> |
| 71-80 | 75 | 105 | 175 <u>185</u> |
| 81-90 | 75 | 130 | 210 <u>215</u> |
| 91-100 | 75 | 160 | 250 |
| 101-110 | 5 | | 285 ²⁰⁹ |
| INF-Table 4 Intersection separation distances | | | |
| Intersection types | | Distance (m) (centreline to centreline) | |
| <u>An access/access road intersection to any access/access road intersection</u> | | <u>40</u> | |
| <u>An access/access road intersection to any intersection involving a higher order road</u> | | <u>80</u> | |
| <u>Any intersections involving any collector/arterial/regional/national road to any other intersections involving any collector/arterial/regional/national road</u> | | <u>150</u> | |
| INF-S26 Connections to Roads for Vehicle Access Levels 1, 2 and 3²¹⁰ | | | |
| All zones | 1. The number of vehicle crossings per site must not exceed one. - 2. The length of a vehicle crossing parallel to the road must be no more than 6m. - 3. The vehicle crossing for a site with frontage to two or more roads must be to the lower road classification. - 4. The minimum design vehicle used for a vehicle | There are no matters of discretion for this standard. | |

²⁰⁸ Clause 16 minor amendment²⁰⁹ Waka Kotahi [82.85]²¹⁰ Kāinga Ora [81.352]

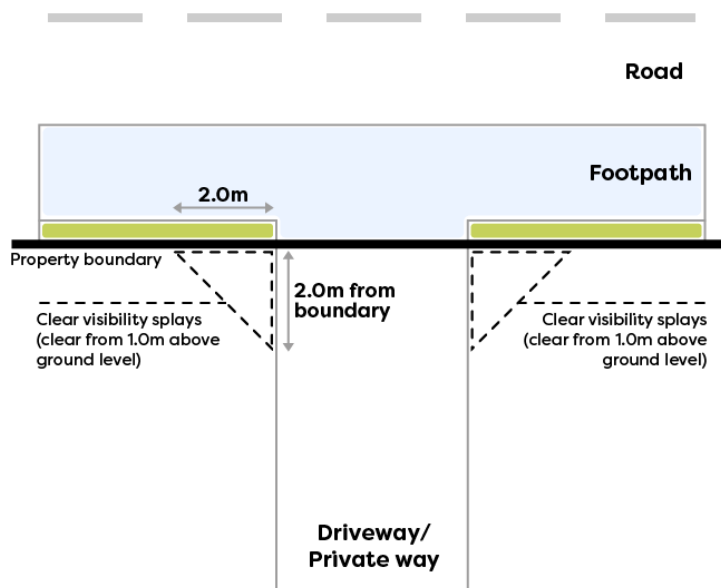
crossing must be a 4.91m x 1.87m vehicle (85th percentile vehicle).

5. The distance from vehicle crossings to road intersections and railway crossings must be in accordance with INF-Table 6.

6. Connections to roads must provide clear visibility splays for pedestrian safety from 1.0m above ground level as shown in INF-Figure 5.

Note: Limited Access Roads may have additional or different requirements under the Government Roading Powers Act 1989.

INF-Figure 5 ~~Clear visibility splays for pedestrian safety~~²¹¹



INF-Table 6 ~~Vehicle crossing distances~~²¹²

| Operating speed of road (km/h) | Minimum distance between vehicle crossing and | Minimum distance between vehicle crossing and | Minimum sight distances from vehicle crossing (m) |
|---|--|--|--|
|---|--|--|--|

²¹¹ Kāinga Ora [81.353]

²¹² Kāinga Ora [81.354]

| | road intersection (m) (measured from the legal boundary of the intersecting road to the edge of the seal of the vehicle crossing) | railway-crossing (m) (measured from the closest rail track to the edge of the seal of the vehicle crossing) | |
|---|--|---|-----|
| <40 | 40 | 30 | 35 |
| 41-50 | 40 | 30 | 45 |
| 51-60 | 45 | 30 | 65 |
| 61-70 | 20 | 30 | 85 |
| 71-80 | 20 | 30 | 105 |
| 81-90 | 30 | 30 | 130 |
| 91-100 | 30 | 30 | 160 |
| INF-S26 Ancillary transport network infrastructure | | | |
| <u>All zones</u> | <p>1. A telecommunication kiosk (excluding any associated antenna) must not exceed a maximum height of 2.5m.</p> <p>2. A telecommunication kiosk must not exceed a maximum volume of 2.4m³.</p> <p>3. A small cell or antenna attached to a telecommunication kiosk must not exceed 1m in height or a horizontal dimension greater than the horizontal dimensions of the communication kiosk.</p> <p>4. Buildings must not be located within the minimum sight distance areas described in:</p> <p>a. INF-Figure 1 and INF-Table 3 for intersections; or</p> <p>b. TR-Table 4 and TR-Figure 2 for vehicle crossing.</p> | <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>Local, regional and national benefits of the infrastructure;</u> 2. <u>Any adverse effects on the streetscape and the amenity values of the area;</u> 3. <u>The amenity of adjoining sites;</u> 4. <u>Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and side roads and visibility of traffic signage;</u> 5. <u>Vehicle safety and the avoidance of collision hazards;</u> 6. <u>Design and siting of the infrastructure;</u> 7. <u>Any operational or functional needs of the infrastructure; and</u> 8. <u>Any topographical and other site constraints make compliance with the permitted standard impractical.</u> | |

| | | |
|---|---|---|
| | <u>5. Buildings must comply with the relevant height in relation to boundary standards for the underlying zone.</u> | |
| <u>Rural Zones</u> <u>Future Urban Zone</u> <u>Large Format Retail Zone</u> <u>City Centre Zone</u> <u>General Industrial Zone</u> <u>Hospital Zone</u> <u>Māori Purpose Zone (Hongoeka)</u> <u>Special Purpose Zone (BRANZ)</u> | <u>6. Buildings must not exceed a maximum height above ground level of 10m.</u> | <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>1. Local, regional and national benefits of the infrastructure;</u> <u>2. Any adverse effects on the streetscape and the amenity values of the area;</u> <u>3. The amenity of adjoining sites;</u> <u>4. Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and side roads and visibility of traffic signage;</u> <u>5. Vehicle safety and the avoidance of collision hazards;</u> <u>6. Design and siting of the infrastructure;</u> <u>7. Any operational or functional needs of the infrastructure; and</u> <u>8. Any topographical and other site constraints make compliance with the permitted standard impractical.</u> |
| <u>Residential Zones</u> <u>Neighbourhood Centre Zone</u> <u>Local Centres Zone</u> <u>Mixed Use Zone</u> <u>Open Space and Recreation Zones</u> | <u>7. Buildings must not exceed a maximum height above ground level of 5m.</u> <u>8. Buildings must not exceed a maximum gross floor area of 5m².</u> | <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>1. Local, regional and national benefits of the infrastructure;</u> <u>2. Any adverse effects on the streetscape and the amenity values of the area;</u> <u>3. The amenity of adjoining sites;</u> <u>4. Vehicle, cyclist and pedestrian safety including sightlines of vehicles exiting driveways and side roads and visibility of traffic signage;</u> <u>5. Vehicle safety and the avoidance of collision hazards;</u> <u>6. Design and siting of the infrastructure;</u> |

| | | |
|------------------|--|---|
| | | <p>7. <u>Any operational or functional needs of the infrastructure; and</u></p> <p>8. <u>Any topographical and other site constraints make compliance with the permitted standard impractical.</u></p> |
| INF-S27 | Cycleways, shared paths and pedestrian walkways on public land other than roads | |
| All zones | <p>1. Pedestrian walkways on public land other than a road must be designed in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014).</p> <p>2. Cycleways and shared paths on public land other than a road must be designed in accordance with:</p> <p><u>a. The Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017); or</u></p> <p><u>b. For paths associated with Ngā Haerenga New Zealand Cycle Trails, the NZ Cycle Trail Design Guide (2019).</u>²¹³</p> | <p>Matters of discretion are restricted to:</p> <p>5. Walking and cycling connectivity;</p> <p>6. Access to and usability of public open spaces;</p> <p>7. The safe, resilient, efficient and effective functioning of the transport network; and</p> <p>8. Public health and safety.</p> |

²¹³ Waka Kotahi [82.89]

Repeat in all other chapters in Part 3 – Area Specific Matter

GRZ - General Residential Zone

[...]

Rules

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.

[The INF – Infrastructure chapter contains objectives and policies relevant to activities in proximity of regionally significant infrastructure.](#)

[..]

GRZ- S4 Setback from boundary with a road or rail corridor

1. Buildings and structures must not be located within a 4m setback from a boundary with a road except:

1. On a site with two or more boundaries to a road, the building or structure must not be located within a 2m setback from the boundary with one road; and
2. Where any garage and/or carport with a vehicle door or vehicle opening facing the road, it must not be located within a 5m setback from the boundary with the road.

Matters of discretion are restricted to:

1. The streetscape and amenity of the area;
2. The design and siting of the building or structure;
3. Screening, planting and landscaping of the building or structure;
4. Pedestrian and cyclist safety (see TR-P3); and
5. Whether topographical or other site constraints that make compliance with the standard impractical.

2. Buildings and structures must not be located within a 1.5m setback from a boundary with a rail corridor.²¹⁴

This standard does not apply to:

- b. Fences and standalone walls — see GRZ-R4;
- c. Buildings and structures that are no more than 2m² in floor area and 2m in height above ground level; or
- d. Eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm.

²¹⁴ KiwiRail [86.70]

CE - Coastal Environment

[...]

| CE-R1 | Earthworks within a Coastal High Natural Character Area |
|-------|---|
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The earthworks are for: <ol style="list-style-type: none"> a. The maintenance of existing farm tracks, accessways or digging new fence post holes; or b. The construction of new public walking or cycling access tracks; and²¹⁵ 2. Compliance is achieved with CE-S1. <p>Note: The relevant earthworks provisions of the ECO and NFL chapters also apply.</p> |

[...]

| CE-R2 | Vegetation removal within a Coastal High Natural Character Area |
|-------|---|
| | <p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The removal of vegetation is for the purpose of: <ol style="list-style-type: none"> i. Addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation; ii. Ensuring the safe and efficient operation of any formed public road or access; iii. Enabling the maintenance of buildings where the removal of vegetation is limited to within 3m from the external wall or roof of a building; iv. Maintenance or construction of a new public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014);²¹⁶ v. Constructing new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the removal does not exceed 2m in width; or vi. Enable tangata whenua to exercise customary harvesting. |

²¹⁵ PCC [11.54]²¹⁶ PCC [11.55]

Note: the ECO provisions also apply where removal of indigenous vegetation is proposed and the area is an identified Significant Natural Area.


[...]

| CE-S1 | Earthworks | |
|-------------------------|---|---|
| <p>All zones</p> | <p>1. Earthworks:</p> <p>b. Must not exceed a maximum area of 50m² within any five year continuous period per site and any exposed areas are treated or screened as soon as practical, but no later than three months after the completion of earthworks or stages of earthworks; or</p> <p>c. Where associated with the maintenance of, or new, public walking or cycling tracks must be no greater than 2.5m wide and cuts or fill less than 1.5m above ground level or 1.8m on switchbacks and undertaken by Porirua City Council or an approved contractor acting on their behalf and in accordance Porirua City Council Track Standards Manual (Version 1.2, 2014).²¹⁷</p> <p>Note: Earthworks within the coastal environment identified on the District Plan maps, but outside the Coastal High Natural Character areas are subject to the relevant zone standard or overlay standard as identified elsewhere within the Plan.</p> | <p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. Effects on the stability of land or structures in or on the site or adjacent sites; 3. Effects on the visual amenity values and character of the surrounding area; 4. Effects on the natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform; 5. Effects of dust and vibration beyond the site; 6. Measures to prevent silt or sediment from leaving the site, particularly measures to minimise silt and sediment entering the stormwater system and roads; 7. The effects of silt and sediment beyond the site; 8. The potential for staging of earthworks to minimise the total area of exposed soils at any point in time; and 9. The effect on the identified values and characteristics within SCHED11 - Coastal High Natural Character Areas. |

²¹⁷ PCC [11.56]

ECO - Ecosystems and Indigenous Biodiversity

[...]

| ECO-R1  | Removal of indigenous vegetation within a Significant Natural Area |
|---|---|
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The trimming or removal of indigenous vegetation is to: <ol style="list-style-type: none"> i. Address an imminent threat to people or property represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with; ii. Ensure the safe and efficient operation of any formed public road, rail corridor or access, where removal is limited to within the formed width of the road, rail corridor or access; iii. Enable the maintenance of buildings where the removal of indigenous vegetation is limited to within 3m from the external wall or roof of a building; iv. Maintain, upgrade or create new public walking or cycling tracks up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014) and where no tree with a trunk greater than 15cm in diameter (measured 1.4m above ground) is removed;²¹⁸ v. Construct new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the area of trimming or removal of any vegetation does not exceed 2m in width; vi. Enable necessary flood protection or natural hazard control where undertaken by a Statutory Agency or their nominated contractors or agents on their behalf as part of natural hazard mitigation works; vii. Comply with section 43 of the Fire and Emergency Act 2017; or viii. Enable tangata whenua to exercise customary harvesting. |

[...]

| ECO-R4  | Earthworks within a Significant Natural Area |
|---|--|
|---|--|

²¹⁸ PCC [11.42]

| | |
|--|--|
| | <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks:</p> <p>i. Do not involve the removal of any indigenous vegetation; or</p> <p>ii. Are for the maintenance of existing public walking or cycling access tracks, as carried out by Porirua City Council, Greater Wellington Regional Council or their nominated contractor or agent; and²¹⁹</p> <p>b. The earthworks do not occur within any wetland.</p> |
|--|--|

²¹⁹ PCC [11.43]

Definitions

[...]

| | |
|---|--|
| Ancillary transport network infrastructure | means infrastructure located within the road reserve or railway corridor <u>by a network utility operator</u> , ²²⁰ that supports the transport network and includes: <ol style="list-style-type: none"> a. traffic control signals and devices; b. light poles; c. post boxes; d. landscaped gardens, artwork and sculptures; e. bus stops and shelters; f. train stations; g. telecommunication kiosks; h. public toilets; and i. road or rail furniture; and <u>j micro-mobility lock-up facilities.</u>²²¹ |
|---|--|

[...]

| | |
|--|--|
| Annual average daily traffic movement (AADT) ²²² | means the total yearly traffic <u>movements volume</u> ²²³ in both directions divided by the number of days in the year, expressed as vehicles per day. |
|--|--|

[...]

| | |
|---------------------------|---|
| Cabinet | means a three-dimensional structure that houses radio and telecommunication equipment and electrical equipment associated with the operation of infrastructure, which includes single transformers and associated switching gear distributing electricity at a voltage up to and including 110KV. |
| <u>Carriageway</u> | <u>means that part of the road that is formed and able to be used by vehicles (including cyclists). It includes areas shared with pedestrians, on-street parking areas, shoulders and auxiliary lanes, but excludes footpaths. In urban areas the carriageway is generally defined by kerbs.</u> ²²⁴ |
| Childcare services | means the care or education of children and includes: <ol style="list-style-type: none"> 1. creches; 2. early childhood centres; 3. day care centres; 4. kindergartens; 5. Kohanga Reo; 6. playgroups; |

²²⁰ Waka Kotahi [82.4]²²¹ Kāinga Ora [81.32]²²² Waka Kotahi [82.5]²²³ Ibid²²⁴ Kāinga Ora [81.930]

| |
|--|
| 7. day nurseries; and 8. home based childcare and education activities. |
|--|

[...]

| | |
|-------------------------------|---|
| Maintenance and repair | <u>As it applies to infrastructure,</u> ²²⁵ means any work or activity necessary, <u>including replacement or renewal where the effects remain the same or similar in character, intensity and scale,</u> ²²⁶ to continue the operation and / or functioning of existing infrastructure. It does not include upgrading. |
|-------------------------------|---|

[...]

| | |
|---|--|
| National Grid | <p>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p>means the network that transmits high-voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including—</p> <p>1. transmission lines; and</p> <p>2. electricity substations.</p> <p><u>has the same meaning as in section 3 of the National Policy Statement on Electricity Transmission 2008:</u></p> <p><u>means the assets used or owned by Transpower NZ Limited.</u>²²⁷</p> |
| National Grid Subdivision²²⁸ Corridor | <p>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> <p>a. 14m of a 110kV transmission line on single poles;</p> <p>b. 16m of a 110kV transmission line on pi poles;</p> <p>c. 32m of a 110kV transmission line on towers;</p> <p>d. 37m of a 220kV transmission line.</p> <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 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 <u>Subdivision</u> 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 <u>Subdivision</u> Corridor.</p> |

²²⁵ Kāinga Ora [81.101]²²⁷ Transpower [60.10]²²⁸ Transpower [60.132]

| | |
|--|---|
| National gGrid Pāuatahanui substation yard ²²⁹ | means the area located within 30m of the boundary of the National Grid Pāuatahanui Substation designation TPR-01. |
|--|---|

[...]

| | |
|--|--|
| Planned network upgrade | means any upgrade to the transport network set out in the <u>Wellington</u> ²³⁰ Regional Land Transport Plan, <u>Wellington Regional Public Transport Plan</u> ²³¹ or Porirua City Council Infrastructure Strategy. |
| Pole ²³² | has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: means a structure that supports conductors as part of a transmission line and that— a. has no more than 3 vertical supports; and b. is not a steel lattice structure; and includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations |

[...]

| | |
|--|---|
| Regionally Significant Infrastructure | means regionally significant infrastructure including: a. pipelines for the distribution or transmission of petroleum; b. the Gas Transmission Network <u>and pipelines for the distribution of natural or manufactured gas</u> ; ²³³ c. the National Grid; d. facilities for the generation and or ²³⁴ transmission of electricity where it is supplied to the network; e. the local authority water supply network and water treatment plants; f. the local authority wastewater and stormwater networks, systems and wastewater treatment plants; |
|--|---|

²²⁹ Transpower [60.10]²³⁰ Waka Kotahi [82.20]²³¹ Ibid²³² Transpower [60.14]²³³ Powerco [83.9 and 83.32]²³⁴ WELL [85.6]

- g. the Strategic Transport Network, as identified in the operative Wellington Regional Land Transport Plan; and
 h. Radio New Zealand and NZME Radio Limited's radio transmission facilities at Titahi Bay, designation unique identifier: RNZ-01; and
 i. facilities and structures necessary for the operation of telecommunications and radiocommunications networks operated by network utility operators.

[...]

Electricity transmission tower

Electricity transmission Tower

has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:

means

- a. **means** a steel-lattice structure that supports conductors as part of a transmission line; and
 b. includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations.²³⁵

[...]

Traffic sign

means a device erected by, or at the direction of, a road controlling authority used on a road to instruct, advise, inform or guide traffic on a road for the purpose of traffic control; and includes any including but not limited to:

- a. sign, signal, or notice;
 b. traffic calming device; **and**
 c. marking or road surface treatment;
d. a board, plate, screen or other device, whether or not illuminated, displaying words, figures, symbols or other material; and
e. 'children crossing' flag, a hand-held Stop sign, a parking control sign and variable message signs.²³⁶

[...]

Trenching

Means the temporary²³⁷ excavation of trenches for underground²³⁸ infrastructure, including the Three Waters Network, telecommunications and radio²³⁹ communications, electricity and gas transmission and distribution, and any other network utilities, where the trench is backfilled, compacted and closed upon

²³⁵ Telcos [51.7]

²³⁶ Waka Kotahi [82.25]

²³⁷ Powerco [83.12]

²³⁸ Ibid

²³⁹ Telcos [51.13]

completion of the works and the ground level reinstated to its pre-works level²⁴⁰.

[...]

Upgrading

As it applies to infrastructure, means the improvement, relocation, replacement, or increase in carrying capacity, operational efficiency, size, pressure, security or safety of existing infrastructure, but excludes maintenance and repair.²⁴¹

²⁴⁰ Powerco [83.13]

²⁴¹ Powerco [83.13]

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------------|-------------------------------|-----------|---|--|--------------------------|----------------------------|--------------------------------|
| Strategic Directions | | | | | | | |
| 134.9 | Ministry of Education | FC-O1 | FC-O1 Infrastructure Effective, efficient, resilient and safe infrastructure <u>and social infrastructure</u> throughout the City that: 1. Provides essential, reliable and secure services, including in emergencies; 2. Facilitates local, regional and national connectivity; 3. Contributes to the economy and supports a high standard of living; 4. Has sufficient capacity to accommodate existing and planned growth; 5. Integrates with development; and 6. Enables people and communities to provide for their health and wellbeing. | 3.13 | Reject | See body of the report | No |
| 51.21 | Telco | FC-O1 | Retain as notified | n/a | Accept | Agree with submitter | No |
| 137.10 | GWRC | FC-O1 | Retain | n/a | Accept | Agree with submitter | No |
| 119.16 | FENZ | FC-O1 | Retain as proposed | n/a | Accept | Agree with submitter | No |
| 121.13 | Radio NZ | FC-O1 | Retain as notified | n/a | Accept | Agree with submitter | No |
| 81.202 | Kainga Ora | FC-O1 | Retain objective as notified | n/a | Accept | Agree with submitter | No |
| 83.15 | Powerco | FC-O1 | Retain as notified | n/a | Accept | Agree with submitter | No |
| 82.29 | Waka Kotahi | FC-O1 | Retain as notified | n/a | Accept | Agree with submitter | No |
| 86.11 | KiwiRail | FC-O1 | Retain as proposed | n/a | Accept | Agree with submitter | No |
| 85.9 | WE | FC-O1 | Retain as currently drafted | n/a | Accept | Agree with submitter | No |
| 60.24 | Transpower | FC-O1 | Retain | n/a | Accept | Agree with submitter | No |
| 60.25 ¹ | Transpower | FC-O2 | Amend Strategic Direction FC-02 as follows: FC-02 National Grid The <u>national</u> significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the city. | 3.13 | Accept | See body of report | Yes |
| 81.203 ² | Kāinga Ora | FC-O2 | Delete: The significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the city. | 3.13 | Reject | See body of the report | No |
| 225.86 ³ | Forest and Bird | FC-O2 | Amend as follows: The significance of the National Grid is recognised, and <u>integrated with subdivision and development proposals to ensure</u> sustainable, secure and efficient electricity transmission is provided through and within the city <u>in appropriate locations</u> . | 3.13 | Accept in part | See body of the report | Yes |

¹ Opposed in part by Kāinga Ora [FS65.69]² Opposed by Transpower [FS04.26]³ Opposed by Transpower [FS04.25], Opposed in part by Kāinga Ora [FS65.68]

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| 137.85 ⁴ | GWRC | FC-O2 | Retain | n/a | Accept in part | Accept in part, subject to amendments in response to other submissions | No |
| General | | | | | | | |
| 81.240 ⁵ | Kāinga Ora – Homes and Communities | General | Amend: Kāinga Ora seeks consequential amendments consistent with its overall submission on the PDP. Key areas of concern are (but not limited to): 1. All rules relating to Transport (street, intersection, accessway, parking design etc), should be within the TR chapter, not within the INF chapter of the PDP. This makes navigating the PDP cumbersome and requires continual cross referencing. In such cases it is likely that some consenting matters may be missed; 2. Complete reconsideration of the road and access design standards; 3. National Grid provisions (objectives, policies, rules, definitions, and spatial mapping); 4. Deletion of reference to any design guidelines or land development standards as de facto rules to be complied with; 5. Recognition through policy wording that the zones 'enable' certain types of development rather than 'allow'; 6. Redrafting of non-notification clauses; 7. Consequential renumbering etc. associated with changes sought. | 3.2 | Accept in part | See body of the report | Yes |
| 82.297 ⁶ | Waka Kotahi NZ Transport Agency | General | Amendments to the infrastructure chapter to ensure the ongoing operation and functional needs of regionally significant infrastructure are not compromised. | 3.2 | Accept in part | See body of the report | Yes |
| 104.13 | Aggregate and Quarry Association | General | [Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): <i>There is no explicit connection between recognising supporting industry or activity, e.g. quarries are needed to construct and support infrastructure.</i> | 3.2 | Reject | See body of the report | No |
| 225.102 ⁷ | Royal Forest and Bird Protection Society | General | Clarify the: <ul style="list-style-type: none"> scope of the chapter relationship with other chapters the provision for overlays within the context of this chapter. Amend the chapter to be specific to Regionally Significant Infrastructure. Consider combining SRI and renewable energy chapters. Amend the provisions to allow for full consideration of the ECO chapter where: <ul style="list-style-type: none"> an activity is considered within an Overlay or within 15m of an SNA or natural wetland the development of new infrastructure is proposed within a SCHED7 SNA or natural wetland make the rule activity status NC the development of new infrastructure is proposed outside of a SCHED7 SNA but would require the clearance of indigenous vegetation make the rule activity status Discretionary | 3.2 | Accept in part | See body of the report | Yes |
| 264.39 | Te Rūnanga o Toa Rangatira | General | Retain as notified. | n/a | Accept in part | Accept in part, subject to amendments made in | No |

⁴ Opposed in part by Kāinga Ora [FS65.67]

⁵ Supported by Transpower New Zealand Ltd [FS04.2] and Kenepuru Limited Partnership (KLP) [FS20.1]

⁶ Supported by Radio New Zealand Ltd [FS60.45]

⁷ Supported by Kāinga Ora [FS65.86]; opposed by Transpower New Zealand Ltd [FS04.30] and Powerco Limited [FS37.11]

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| | | | | | | response to other submissions | |
| 262.2 | Fulton Hogan | General | [Not specified, refer to original submission]. While no specific decision sought, the submitter raised the following matter(s): Supportive of proposed objectives and policies that seek to enable and provide for regionally significant infrastructure and other infrastructure. | n/a | Note | The objectives and policies enable and provide for regionally significant infrastructure and other infrastructure. | No |
| 83.86 | Powerco Limited | General | The District Plan should be drafted to ensure: 1. The sustainable management of assets as a physical resource; 2. Effect is given to the policies of the WRPS; 3. Appropriate provision is made for the on-going operation, repair and maintenance of the network, including ensuring that pipelines can be accessed; 4. Appropriate provision is made for the existing network to be upgraded in order to meet energy growth demands; 5. Appropriate provisions for new pipelines as and when required; 6. Protection of the existing network from issues of reverse sensitivity; and 7. Maintenance of amenity and public safety around gas pipelines. | 3.2 | Accept in part | See body of the report | Yes |
| 121.3 | Radio New Zealand Limited | General | Some amendments are required in relation to certain provisions, these amendments set out in Schedule 1. [Refer to original submission for full decision requested, including attachment] | 3.2 | Accept in part | See body of the report | Yes |
| 121.2 | Radio New Zealand Limited | General | [Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Recognition of: <ul style="list-style-type: none"> The critical contribution that infrastructure and network utility operations make to the social, economic and cultural wellbeing of the district; The geographical and technical constraints of infrastructure and network utilities in relation to land use and subdivision activities; and Avoiding "reverse sensitivity" effects on significant infrastructure and network utility operations. | n/a | Note | See body of the report | No |
| Restricting the INF-Infrastructure Chapter to Regionally Significant Infrastructure | | | | | | | |
| 225.31 ⁸ | Royal Forest and Bird Protection Society | General | Separate the provisions for RSI from other infrastructure. Consider separate chapters. | 3.3 | Reject | See body of the report | No |
| 225.104 ⁹ | Royal Forest and Bird Protection Society | INF-O3 | Amend as follows: Availability of <u>Regionally Significant Infrastructure</u> to meet existing and planned needs Safe, efficient, and resilient <u>Regionally Significant Infrastructure</u> is available to meet the needs of, and is well integrated with, existing and planned <u>planned new</u> subdivision, use and development. | 3.3 | Accept in part | See body of the report | Yes |
| 225.105 ¹⁰ | Royal Forest and Bird | INF-O4 | Delete or alternatively amend to clarify the objective in relation to RSI as follows: | 3.3 | Reject | See body of the report | No |

⁸ Supported by Radio New Zealand Ltd [FS60.46]; opposed by Powerco Limited [FS37.9]

⁹ Opposed by Powerco Limited [FS37.13], opposed in part by Kāinga Ora [FS65.94]

¹⁰ Supported in part by Kāinga Ora [FS65.97]

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| | Protection Society | | "The transport network is effective, accessible and integrated with <u>Regionally Significant Infrastructure</u> and other land uses, including contributing to the amenity of public spaces, and provides for all transport modes and users to move efficiently within and beyond the City. | | | | |
| 225.106 ¹¹ | Royal Forest and Bird Protection Society | INF-O5 | Amend as follows: <u>Regionally Significant Infrastructure</u> provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of <u>Regionally Significant Infrastructure</u> are avoided, remedied or mitigated, including effects on: 1. The anticipated character and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards. | 3.3 | Accept in part | See body of the report | Yes |
| 225.108 ¹² | Royal Forest and Bird Protection Society | INF-P2 | Delete or Alternatively if retained identify what "other infrastructure" is covered in this policy and provide clear distinction in the rules implementing this policy from RSI. | 3.3 | Reject | See body of the report | No |
| 225.110 ¹³ | Royal Forest and Bird Protection Society | INF-P4 | Delete or Alternatively amend as follows: Appropriate <u>Regionally Significant Infrastructure</u> Enable Consider the appropriateness of new <u>Regionally Significant Infrastructure</u> and the maintenance and repair, upgrading and removal of existing <u>Regionally Significant Infrastructure</u> , including <u>associated</u> earthworks, that: 1. Is of a form, location and scale that minimises adverse effects on the environment; 2. Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and 3. For any <u>new Regionally Significant Infrastructure</u> , maintenance and repair, or removal of existing <u>Regionally Significant Infrastructure</u> in any Overlay, it is of a nature and scale that does not adversely impact on the identified values and characteristics of the Overlay that it is located within. | 3.3 | Accept in part | See body of the report | Yes |
| 225.113 ¹⁴ | Royal Forest and Bird Protection Society | INF-P8 | Delete or Alternatively amend as follows: Provide for <u>Regionally Significant Infrastructure</u> and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved: 1A. <u>SNAs are protected and indigenous biological diversity is maintained: and</u> 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised, taking into account: | 3.3 | Reject | See body of the report | No |

¹¹ Opposed by Powerco Limited [FS37.14] and Kāinga Ora [FS65.98]

¹² Opposed by WELL [FS28.13], Powerco Limited [FS37.15] and Kāinga Ora [FS65.102]

¹³ Opposed by WELL [FS28.15], Powerco Limited [FS37.17] and Kāinga Ora [FS65.106]

¹⁴ Supported by Greater Wellington Regional Council [FS40.131]; opposed by WELL [FS28.16] and Powerco Limited [FS37.18], opposed in part by Kāinga Ora [FS65.118]

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| | | | <p>a. The bulk, height, size, colour, reflectivity of the infrastructure;</p> <p>b. Any proposed associated earthworks;</p> <p>c. The time, duration or frequency of any adverse effects; and</p> <p>d. Any proposed mitigation measures;</p> <p>4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;</p> <p>5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;</p> <p>6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;</p> <p>7. Any adverse effects on any values and qualities of any adjacent Overlays are <u>avoided</u> minimised;</p> <p>8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and</p> <p>9. Any adverse cumulative effects are <u>avoided, remedied or mitigated</u> minimised.</p> | | | | |
| 225.122 ¹⁵ | Royal Forest and Bird Protection Society | INF-P20 | <p>Delete or</p> <p>Amend as follows:</p> <p>Upgrades to and new <u>Regionally Significant</u> Infrastructure in Significant Natural Areas Except as provided for by INF-P6 and INF-P7, only <u>consider allowing</u> for upgrades to existing infrastructure and for <u>avoid new Regionally Significant</u> Infrastructure in areas identified in SCHED7 - Significant Natural Areas where <u>unless it can be demonstrated that:</u></p> <p>1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and</p> <p>2. Any adverse effects on indigenous biodiversity values within areas identified in SCHED7 - Significant Natural Areas are <u>avoided, remedied or mitigated consistent with the ECO chapter provisions addressed in accordance with ECO-P2 and the matters in ECO-P4, ECO-P11 and ECO-P12.</u></p> | 3.3 | Reject | See body of the report | No |
| 225.123 ¹⁶ | Royal Forest and Bird Protection Society | INF-P21 | <p>Amend as follows:</p> <p>Upgrades to and new <u>Regionally Significant</u> Infrastructure in Special Amenity Landscapes Except as provided for by INF-P6 and INF-P7, only <u>consider allowing</u> for upgrades to existing <u>Regionally Significant</u> Infrastructure and for new <u>Regionally Significant</u> Infrastructure within Special Amenity Landscapes where:</p> <p>1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and</p> <p><u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u></p> <p><u>1B. indigenous biological diversity is maintained; and</u></p> <p>2. There is an operational need or functional need that means the infrastructure's location cannot be avoided;</p> <p>3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through:</p> | 3.3 | Reject | See body of the report | No |

¹⁵ Opposed by WELL [FS28.18], Powerco Limited [FS37.22] and Kāinga Ora [FS65.130]

¹⁶ Opposed by Powerco Limited [FS37.23]

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| | | | <ul style="list-style-type: none"> a. Grouping or dispersing structures; b. Undergrounding; and c. Locations that reduce visibility. 4. The design methods used minimise the adverse visual effects of the infrastructure, including: <ul style="list-style-type: none"> a. Landscaping and screening; b. Design, location, height, bulk and colour; c. Any light spill effects; d. Reflectivity effects; and 5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects. | | | | |
| 225.124 ¹⁷ | Royal Forest and Bird Protection Society | INF-P22 | <p>Amend as follows:</p> <p>Upgrades to and new <u>Regionally Significant</u> Infrastructure in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area</p> <p>Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing <u>Regionally Significant</u> Infrastructure where, and avoid new <u>Regionally Significant</u> Infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that:</p> <p><u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u></p> <p><u>1B. indigenous biological diversity is maintained; and</u></p> <ul style="list-style-type: none"> 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives; 2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas; 3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and 4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3. | 3.3 | Reject | See body of the report | No |
| 225.125 ¹⁸ | Royal Forest and Bird Protection Society | INF-P23 | <p>Amend the policy as follows:</p> <p>Only allow for upgrades to existing and new <u>Regionally Significant</u> Infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure:</p> <ul style="list-style-type: none"> 1. Does not increase the risk from the natural hazard to people, or other property or infrastructure; 2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives; 3. Is not vulnerable to the natural hazard; 4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and | 3.3 | Reject | See body of the report | No |

¹⁷ Opposed by Powerco Limited [FS37.24]

¹⁸ Opposed by WELL [FS28.19] and Powerco Limited [FS37.25]

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| | | | 5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event; and 6. includes provision for indigenous biodiversity adaption and response including inland migration in response to sea level rise . | | | | |
| 225.126 ¹⁹ | Royal Forest and Bird Protection Society | INF-P26 | Enable signs associated with the construction, operation, maintenance and repair or upgrading of <u>Regionally Significant Infrastructure</u> where adverse effects are avoided, remedied or mitigated. | 3.3 | Reject | See body of the report | No |
| 225.128 ²⁰ | Royal Forest and Bird Protection Society | INF-R3 | Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R3 1. to include: <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. Amend R3 2. to capture non compliance with 1. Add the following condition <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case. | 3.3 | Reject | See body of the report | No |
| 225.129 ²¹ | Royal Forest and Bird Protection Society | INF-R4 | Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R4 1. to include: <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or a natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. Amend R4 2. to capture non compliance with 1. Add the following condition <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case. | 3.3 | Reject | See body of the report | No |
| 225.130 ²² | Royal Forest and Bird Protection Society | INF-R5 | Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R5-1 to include: <ul style="list-style-type: none"> a condition that the activity is setback 15m from a natural wetland Amend R5-2, R5-3 and R5-4 to capture non compliance with the 15m setback Add the following condition <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity | 3.3 | Reject | See body of the report | No |

¹⁹ Opposed by Powerco Limited [FS37.26]

²⁰ Opposed by Powerco Limited [FS37.28] and Kāinga Ora [FS65.421]

²¹ Opposed by Powerco Limited [FS37.29] and Kāinga Ora [FS65.138]

²² Supported by Director-General of Conservation [FS39.4]; opposed by Powerco Limited [FS37.30] and Kāinga Ora [FS65.139];

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| | | | R5-2 Delete the note regarding non-notification R5-6 Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case, alternatively amend R5-7 to include the setback and change to non-complying. | | | | |
| Relationship with Overlays | | | | | | | |
| 225.127 ²³ | Royal Forest and Bird Protection Society | Notes | Amend the first note as follows: Note: Rule headings may identify whether the rule applies to areas outside of any Overlay, to all Overlay areas, or to areas within specific Overlays. Where rules do not specifically identify this, they apply across all <u>are subject to any relevant Overlays and areas outside of any Overlay provisions set out in the relevant district wide chapters.</u> Delete the second note relating to whether other rules apply. Amend the last note as follows: Note: An activity may require consent for more than one rule in this table <u>and may also require consent under rules in another chapter of the plan where the proposal includes more than one activity.</u> Plan users are required to review all rules in this table to determine the status of an activity. | 3.4 | Reject | See body of the report | No |
| Transport Infrastructure | | | | | | | |
| 81.930 ²⁴ | Kāinga Ora – Homes and Communities | General | Opposes the transport provisions in the current proposed state and seeks the full package of provisions (objectives, policies, rules and standards) are reviewed and amended so that they appropriately manage the safety and efficiency of the transport network, while recognising and providing for residential intensification. | 3.5.1 | Accept in part | See body of the report | Yes |
| 183.10 | Pikarere Farm Limited | General | In relation to Pikarere Farm and access to Pikarere Farm, from a number of future planning aspects, the "paper road" should be preserved, relocated, and extended to link with Pikarere Street. [Refer to original submission for full decision requested] | 3.5.1 | Reject | See body of the report | No |
| 263.6 | Regional Public Health | General | Recommends that the Healthy Streets Design Indicators are considered and incorporated into the design of road types, where the higher density housing will be located. | 3.5.1 | Reject | See body of the report | No |
| 263.10 | Regional Public Health | General | Recommends that Council prioritise safe, efficient, resilient and well-connected transport that: <ol style="list-style-type: none"> Is integrated with land use Meets local, regional and national transport needs Enables urban growth and economic development Provides for all modes of transport. | 3.5.1 | Accept in part | See body of the report | No |
| 168.105 | Robyn Smith | Section 32 Evaluation Report | Do not approve the PDP until the zoning for the SH One corridor north of Plimmerton is clarified and a suitable section 32 analysis determines that it is appropriate from a resource management perspective. | 3.5.2 | Accept in part | See body of the report | Yes |
| 86.17 ²⁵ | KiwiRail Holdings Limited (KiwiRail) | INF-O4 | Retain as proposed. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²³ Opposed by Powerco Limited [FS37.27]

²⁴ Supported by Kenepuru Limited Partnership [FS20.14], Carrus Corporation Limited [FS62.3] and Paremata Business Park [FS64.3]

²⁵ Opposed in part by Kāinga Ora [FS65.95]

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| 82.39 ²⁶ | Waka Kotahi NZ Transport Agency | INF-O4 | Amend provision: "The transport network is effective, accessible, <u>connected</u> and integrated with other land uses, including contributing the amenity of public spaces, and provides for all transport modes and users to move efficiently <u>and safely</u> within and beyond the City." | Table B 1 | Accept | Agree with the amendments sought for the reasons stated by the submitter. | Yes |
| 81.245 | Kāinga Ora – Homes and Communities | INF-O4 | Delete: The transport network is effective, accessible and integrated with other land uses, including contributing to the amenity of public spaces, and provides for all transport modes and users to move efficiently within and beyond the City. | 3.5.4 | Reject | See body of the report | No |
| 67.3 | Housing Action Porirua | INF-O4 | Amend: The transport network is effective, accessible and integrated with other land uses, including contributing to the amenity of public spaces, and provides for <u>active</u> all transport modes (<u>walking, cycling and scootering</u>) as a priority over motor transport and users to move efficiently within and beyond the City. | 3.5.4 | Reject | See body of the report | No |
| 225.117 ²⁷ | Royal Forest and Bird Protection Society | INF-P13 | Delete and add the considerations in the policy as standards to apply to consenting or Alternatively if retained: <ul style="list-style-type: none"> Delete the words "as far as is practicable" and Add requirements that the upgrade or development is outside of an Overlay and for adverse effects to be avoided, remedied and mitigated. | 3.5.5.2 | Accept in part | See body of the report | Yes |
| 137.25 ²⁸ | Greater Wellington Regional Council | INF-P13 | Amend INF-P13 6a to reference public transport. Amend INF-P13 6.a. with the following addition "...and stormwater treatment devices [or] green infrastructure;" | 3.5.5.2 | Accept in part | See body of the report | Yes |
| 86.26 ²⁹ | KiwiRail Holdings Limited (KiwiRail) | INF-P13 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.49 ³⁰ | Waka Kotahi NZ Transport Agency | INF-P13 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.259 | Kāinga Ora – Homes and Communities | INF-P13 | Delete: Provide for the upgrade and development of the transport network where, as far as is practicable, it: <ol style="list-style-type: none"> Integrates with the existing transport network and any other planned network upgrades or development; Does not compromise the safe, efficient and effective functioning of the transport network; Responds to site and topographical constraints including opportunities to reduce the effects of earthworks on landscape and ecological values; Provides for high levels of connectivity within and between transport modes; | 3.5.5.2 | Reject | See body of the report | No |

²⁶ Supported by Greater Wellington Regional Council [FS40.93]; opposed in part by Kāinga Ora [FS65.96]

²⁷ Opposed by Kāinga Ora [FS65.122]

²⁸ Opposed by Kāinga Ora [FS65.122]

²⁹ Opposed by Kāinga Ora [FS65.122]

³⁰ Opposed by Kāinga Ora [FS65.122]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>5. Provides for pedestrian and cycling safety and connectivity including access to and usability of public open spaces; and</p> <p>6. Provides roads which:</p> <p>a. Allocate adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles and on-street parking;</p> <p>b. Avoid permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints; and</p> <p>c. Include street trees that are suitable for their specific locations in the road reserve, where these:</p> <p>i. Are a species appropriate to the site's growing conditions including soil, slope, aspect, wind, drought and salt tolerance;</p> <p>ii. Contribute to high quality public amenity through species diversity, habitat and food source value and appearance (mature height, stem girth and form);</p> <p>iii. Have low maintenance requirements and high tolerance to pruning;</p> <p>iv. Are sited to avoid compromising traffic safety sightlines in respect of traffic lights, signs, intersections, bus stops, pedestrian crossings and vehicle crossings; and</p> <p>v. Are sited and planted to avoid compromising buildings, structures or infrastructure.</p> <p>Consequential amendments to reference numbers in the objectives, policies, rules and standards.</p> <p>Combine with INF-P12 and relocate the policy to the Transport Chapter.</p> | | | | |
| 68.12 ³¹ | Carrus Corporation Ltd | INF-P13 | <p>Amend:</p> <p>Provide for the upgrade and development of the transport network where, as far as is practicable, it:</p> <ol style="list-style-type: none"> 1. Integrates with the existing transport network and any other planned network upgrades or development; 2. Does not compromise the safe, efficient and effective functioning of the transport network; 3. Responds to site and topographical constraints including opportunities to reduce the effects of earthworks on landscape and ecological values; 4. Provides for high levels of connectivity within and between transport modes; 5. Provides for pedestrian and cycling safety and connectivity including access to and usability of public open spaces; and 6. Provides roads which: <ol style="list-style-type: none"> a. Allocate adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles and on-street parking; b. Avoid <u>Minimise</u> permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints; and c. <u>Where no exit streets are proposed, ensure connectives and permeability in design for pedestrians and cyclists.</u> d. Include street trees that are suitable for their specific locations in the road reserve, where these: <ol style="list-style-type: none"> i. Are a species appropriate to the site's growing conditions including soil, slope, aspect, wind, drought and salt tolerance; | 3.5.5.2 | Accept in part | See body of the report | Yes |

³¹ Opposed by Kāinga Ora [FS65.123]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <ul style="list-style-type: none"> ii. Contribute to high quality public amenity through species diversity, habitat and food source value and appearance (mature height, stem girth and form); iii. Have low maintenance requirements and high tolerance to pruning; iv. Are sited to avoid compromising traffic safety sightlines in respect of traffic lights, signs, intersections, bus stops, pedestrian crossings and vehicle crossings; and v. Are sited and planted to avoid compromising buildings, structures or infrastructure. <p>or; Adopt any other such relief, including additions, deletions, or consequential amendments as a result of the matters raised in these submissions, as necessary to give effect to this submission.</p> | | | | |
| 59.11 ³² | Kenepuru Limited Partnership | INF-P13 | <p>Amend the policy as follows:</p> <p>2. Does not <i>unreasonably</i> compromise the safe, efficient and effective functioning of the transport network [...]</p> <p>6. Provides roads which:</p> <ul style="list-style-type: none"> 1. Allocate adequate space <i>Allow</i> in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles and on-street parking appropriate for the zone; 2. Avoid <i>Minimise</i> permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints; and 3. <i>Where no exit streets are proposed ensure connectivity and permeability in design for pedestrians and cyclists.</i> 4. Include street trees that are suitable for their specific locations in the road reserve, where these: <ul style="list-style-type: none"> 1. Are a species appropriate to the site's growing conditions including soil, slope, aspect, wind, drought and salt tolerance; 2. Contribute to high quality public amenity through species diversity, habitat and food source value and appearance (mature height, stem girth and form); 3. Have low maintenance requirements and high tolerance to pruning; 4. Are sited to avoid compromising traffic safety sightlines in respect of traffic lights, signs, intersections, bus stops, pedestrian crossings and vehicle crossings; and <p>Are sited and planted to avoid compromising buildings, structures or infrastructure.</p> | 3.5.5.2 | Accept in part | See body of the report | Yes |
| 51.51 ³³ | Spark New Zealand Trading Limited, Chorus New Zealand | INF-P13 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

³² Supported by Carrus Corporation Limited [FS62.18]; opposed by Kāinga Ora [FS65.124]

³³ Opposed by Kāinga Ora [FS65.125]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | Limited, Vodafone New Zealand Limited | | | | | | |
| 11.5 ³⁴ | Porirua City Council | INF-P13 | Amend the policy as follows: Provide for the upgrade and development of the transport network where, as far as is practicable, it: ... 6. Provides roads which: a. Allocate adequate space in the road corridor for walking, cycling, infrastructure, <u>refuse and recycling collection</u> , streetlighting and street trees as well as vehicles and on-street parking; | 3.5.5.2 | Accept | See body of the report | Yes |
| 82.50 ³⁵ | Waka Kotahi NZ Transport Agency | INF-P14 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.118 | Royal Forest and Bird Protection Society | INF-P14 | Delete and add the considerations in the policy as standards to apply to consenting or Alternatively if retained add requirements for adverse effects to be avoided, remedied and mitigated. | 3.5.5.3 | Reject | See body of the report | No |
| 81.260 | Kāinga Ora – Homes and Communities | INF-P14 | Delete: Provide for safe and efficient connections between the transport network and on-site transport facilities by requiring connections to roads to address: 1. The classification, characteristics and operating speed of the road and the number and types of vehicles accessing the site; 2. Opportunities to share and minimise the number of connections; 3. Public health and safety including the safe functioning of the transport network and the safety of pedestrians and cyclists; and 4. Site or topography constraints including reduced visibility. Consequential amendments to reference numbers in the objectives, policies, rules and standards. Relocate the policy to the Transport Chapter. | Table B 1 | Accept | Agree with the submitter. | Yes |
| 81.295 | Kāinga Ora – Homes and Communities | INF-R23 | Amend: 1. Activity status: Permitted Where: a. The road is an Arterial Road, Collector Road or Access Road as identified in SCHED1 - Roads Classified According to One Network Road Classification; and b. Compliance is achieved with: 1. INF-S25 for a Vehicle Access Level 4 classified in accordance with TR-S2; or 2. INF-S26 for Vehicle Access Levels 1, 2 and 3 classified in accordance with TR-S2. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R23-1.a; or b. Compliance is not achieved with INF-S25 for Vehicle Access Level 4, or INF-S26 for Vehicle Access Levels 1, 2 and 3. | 3.5.6.2 | Accept in part | See body of the report | Yes |

³⁴ Supported by Greater Wellington Regional Council [FS40.2]; opposed by Kāinga Ora [FS65.123]

³⁵ Opposed by Kāinga Ora [FS65.127]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P14</p> <p>Notification: <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that road controlling authorities may be notified.</u> Relocate to the Transport chapter.</p> | | | | |
| 11.6 ³⁶ | Porirua City Council | INF-R23 | <p>Amend the rule as follows:</p> <p>Connections to roads</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The road is:</p> <p>1. An Arterial Road, Collector Road or Access Road as identified in SCHED1 - Roads Classified According to One Network Road Classification for <u>connections of Vehicle Access Levels 1, 2 and 3 classified in accordance with TR-S2; or</u></p> <p>2. A Collector Road or Access Road as identified in SCHED1 - Roads Classified According to One Network Road Classification for <u>connections of a Vehicle Access Level 4 classified in accordance with TR-S2; and</u></p> <p>b. Compliance is achieved with:</p> <p>1. INF-S25 for a Vehicle Access Level 4 classified in accordance with TR-S2; or</p> <p>2. INF-S26 for Vehicle Access Levels 1, 2 and 3 classified in accordance with TR-S2.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R23-1.<u>The connection is to a Regional or National road as identified in SCHED1 – Roads Classified According to One Network Road Classification; or</u></p> <p>b. <u>The connection is to an Arterial road as identified in SCHED1 – Roads Classified According to One Network Road Classification for a Vehicle Access Level 4; or</u></p> <p>b. c. Compliance is not achieved with INF-S25 for Vehicle Access Level 4, or INF-S26 for Vehicle Access Levels 1, 2 and 3.</p> <p>Matters of discretion are restricted to: The matters in INF-P14.</p> | 3.5.6.2 | Accept | See body of the report | Yes |
| 82.66 | Waka Kotahi NZ Transport Agency | INF-R23 | <p>Add the following to INF-R23.2:</p> <p>Notes:</p> <p>1. <u>All new roads and vehicle access points that intersect a state highway require the approval of Waka Kotahi NZ Transport Agency under the Government Roding Powers Act 1989. Waka Kotahi NZ Transport Agency may require a different vehicle access construction standard from TR-S2.</u></p> | 3.5.6.2 | Accept | See body of the report | Yes |
| 59.13 ³⁷ | Kenepuru Limited Partnership | INF-R27 | <p>Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010.</p> <p>Or</p> | 3.5.6 | Accept in part | See body of the report | Yes |

³⁶ Opposed by Kāinga Ora [FS65.145]

³⁷ Supported by Carrus Corporation Limited [FS62.15]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | | | | |
| 59.27 | Kenepuru Limited Partnership | INF-R27 | Amend the rule as follows: 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects - Guidelines, Transfund New Zealand Manual No. TFM9 2013 <i>or other assessment guidelines suitable for the land use environment that the road is serving.</i> | 3.5.6 | Accept in part | See body of the report | Yes |
| 68.13 ³⁸ | Carrus Corporation Ltd | INF-R27 | Update INF Table -1 to incorporate all of the road layout and width options as set out in NZS 4404:2010. Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | 3.5.6 | Accept in part | See body of the report | Yes |
| 81.299 | Kāinga Ora – Homes and Communities | INF-R27 | Amend: Activity status: Permitted <u>Where:</u> a. <u>The works relate to upgrading of a road within existing road reserve</u> 1. Activity status: Controlled Where: a. The road is a new road that provides access for a subdivision that creates vacant allotments under SUB-R3; and b. The road is classified as a Collector Road or Access Road in INF-S22; and c. Compliance is achieved with: i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. Matters of control are reserved to: 1. The matters in INF-P13. Section 88 information requirements for applications: 1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects - Guidelines, Transfund New Zealand Manual No. TFM9 2013. 2. Activity status: Controlled <u>Where:</u> a. The road is an upgrade to an existing road that does not result in the road being classified as a higher order road under INF-S22; and b. The road is classified as a Collector Road or Access Road in INF-S22; and c. Compliance is achieved with: i. INF-S14; ii. INF-S15; iii. INF-S23; iv. INF-S24; and v. INF-S25. | 3.5.6 | Reject | See body of the report | No |

³⁸ Supported by Kenepuru Limited Partnership [FS20.18]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>Matters of control are reserved to:</p> <p>1. The matters in INF-P13.</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects - Guidelines, Transfund New Zealand Manual No. TFM9 2013.</p> <p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The road is:</p> <p>i. A new road other than a road that provides access for a subdivision that creates vacant allotments under SUB-R3; or</p> <p>ii. An upgrade to an existing road that results in the road being classified as a higher order road;</p> <p>b. The road is classified as a Collector Road or Access Road in INF-S22; and</p> <p>c. Compliance is achieved with:</p> <p>i. INF-S14;</p> <p>ii. INF-S15;</p> <p>iii. INF-S23;</p> <p>iv. INF-S24; and</p> <p>v. INF-S25.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P8; and</p> <p>2. The matters in INF-P13.</p> <p>Section 88 information requirements for applications:</p> <p>1. Applications under this rule must provide, in addition to the standard information requirements, a road safety audit in accordance with NZTA's Road Safety Audit Procedures for Projects - Guidelines, Transfund New Zealand Manual No. TFM9 2013.</p> <p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. The road is a National Road, Regional Road or Arterial Road; or</p> <p>b. Compliance is not achieved with INF-S14; INF-S15; INF-S23; INF-S24 or INF-S25.</p> | | | | |
| 82.69 ³⁹ | Waka Kotahi NZ Transport Agency | INF-R27 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.70 | Waka Kotahi NZ Transport Agency | INF-R27 | <p>Amend INF-R27.2 as follows:</p> <p>2. Activity Status: Controlled</p> <p>Where:</p> <p>a. The road is an upgrade to an existing road that does not result in the road being classified as a higher order road under INF-S22; and</p> <p>b. The road is classified as a <u>National Road, Regional Road, Arterial Road, Collector Road or Access Road</u> in INF-S22; and</p> <p>[...]</p> | 3.5.6.1 | Reject | See body of the report | No |

³⁹ Opposed by Carrus Corporation Limited [FS62.23] and Paremata Business Park [FS64.17]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.71 | Waka Kotahi NZ Transport Agency | INF-R27 | Amend INF-R27.3 as follows: 3. Activity Status: Restricted Discretionary Where: a. The road is: i. A new road other than a road that provides access for a subdivision that creates vacant allotments under SUB-R3; or ii. An upgrade to an existing road that results in the road being classified as a higher order road; b. The road is classified as a <u>National Road, Regional Road, Arterial Road, Collector Road</u> or Access Road in INF-S22; and [...] | 3.5.6.1 | Reject | See body of the report | No |
| 82.72 | Waka Kotahi NZ Transport Agency | INF-R27 | Delete INF-R27.4. | 3.5.6.1 | Reject | See body of the report | No |
| 81.300 | Kāinga Ora – Homes and Communities | INF-R27 | Retain as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 59.14 | Kenepuru Limited Partnership | INF-R27 | Same as Rule 27 | 3.5.6.1 | Accept in part | See body of the report | Yes |
| 68.14 ⁴⁰ | Carrus Corporation Ltd | INF-R28 | Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010. Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | 3.5.6.1 | Accept in part | See body of the report | Yes |
| 68.15 ⁴¹ | Carrus Corporation Ltd | INF-R29 | Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010. Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | 3.5.6.1 | Accept in part | See body of the report | Yes |
| 81.301 | Kāinga Ora – Homes and Communities | INF-R29 | Retain as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.73 | Waka Kotahi NZ Transport Agency | INF-R29 | Amend INF-R29.2 as follows: 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S17 for areas outside of the existing road reserve; b. The road is classified as a <u>National Road, Regional Road, Arterial Road, Collector Road</u> or Access Road in INF-S22; [...] | 3.5.6.1 | Reject | See body of the report | No |

⁴⁰ Supported by Kenepuru Limited Partnership [FS20.19]

⁴¹ Supported by Kenepuru Limited Partnership [FS20.20]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.74 | Waka Kotahi NZ Transport Agency | INF-R29 | Amend INF-R29.3 as follows: 3. Activity status: Restricted discretionary Where: a. The upgrade results in the road being classified as a higher order road; b. The road is classified as a <u>National Road, Regional Road, Arterial Road, Collector Road or Access Road</u> in INF-S22; and [...] | | | | |
| 82.75 | Waka Kotahi NZ Transport Agency | INF-R29 | Delete INF-R29.4. | 3.5.6.1 | Reject | See body of the report | No |
| 81.302 | Kāinga Ora – Homes and Communities | INF-R29 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.137 ⁴² | Royal Forest and Bird Protection Society | INF-R30 | Amend R30.1 by: Adding a limit to the scale of an upgrade; Adding a setback of 15m from wetlands; Adding the following matter of discretion: • effects on indigenous biological diversity Amend R30.2 to a non-complying activity status. Ensure that consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect. | 3.5.6.4 | Reject | See body of the report | No |
| 82.76 | Waka Kotahi NZ Transport Agency | INF-R30 | Amend INF-R30.1 as follows: 1. Activity status: Restricted Discretionary Where: a. The road is classified as a <u>National Road, Regional Road, Arterial Road, Collector Road or Access Road</u> in INF-S22; [...] | 3.5.6.1 | Reject | See body of the report | No |
| 68.16 ⁴³ | Carrus Corporation Ltd | INF-R30 | Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010. Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | 3.5.6.1 | Accept in part | See body of the report | Yes |
| 82.77 | Waka Kotahi NZ Transport Agency | INF-R30 | Delete INF-R30.2. | 3.5.6.1 | Reject | See body of the report | No |
| 81.303 | Kāinga Ora – Homes and Communities | INF-R31 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 68.17 ⁴⁴ | Carrus Corporation Ltd | INF-R31 | Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010. | 3.5.6.1 | Accept in part | See body of the report | Yes |

⁴² Opposed by Waka Kotahi NZ Transport Agency [FS36.21] and Kāinga Ora [FS65.149]

⁴³ Supported by Kenepuru Limited Partnership [FS20.21]

⁴⁴ Supported by Kenepuru Limited Partnership [FS20.22]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | | | | |
| 81.325 | Kāinga Ora – Homes and Communities | INF-S8 | <p>Delete:</p> <p>Rural Zones, Future Urban Zone, Large Format Retail Zone, City Centre Zone, General Industrial Zone, Open Space and Recreation Zones, Maori Purpose Zone (Hongoeka):</p> <p>1. It must not exceed a maximum height above ground level of 2m. 2. It must not exceed a maximum area of 2m².</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Traffic and pedestrian safety including sightlines and visibility of traffic signage; 5. Design and siting of the infrastructure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. <p>Residential Zones, Neighbourhood Centre Zone, Local Centres Zone, Mixed Use Zone, Hospital Zone, Special Purpose Zone (BRANZ):</p> <p>3. It must not exceed a maximum height above ground level of 1.8m. 4. It must not exceed a maximum area of 1.4m².</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; 4. Traffic and pedestrian safety including sightlines and visibility of traffic signage; 5. Design and siting of the infrastructure; 6. Any operational or functional needs of the infrastructure; and 7. Any topographical and other site constraints make compliance with the permitted standard impractical. <p>Amend:</p> <p>Introduce a new rule and standard recognising "Ancillary Transport Network" structures, with all necessary changes.</p> | 3.5.3 | Accept in part | See body of the report | Yes |
| 86.42 ⁴⁵ | KiwiRail Holdings Limited (KiwiRail) | INF-S8 | <p>Amend as follows:</p> <p>INF-S8: Cabinets, electric vehicle charging stations, temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure, and any other infrastructure structure or building not otherwise listed, which are located within the road reserve or rail corridor</p> | 3.5.3 | Accept in part | See body of the report | Yes |
| 81.326 | Kāinga Ora – Homes and Communities | INF-S9 | <p>Delete:</p> <p>1. It must not exceed a maximum height above ground level of 4m. 2. It must not exceed a maximum area of 15m².</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. Any adverse effects on the streetscape and the amenity values of the area; 3. The amenity of adjoining sites; | 3.5.3 | Accept in part | See body of the report | Yes |

⁴⁵ Supported in part by Kāinga Ora [FS65.153]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|---------------------|------------------------------------|-----------|--|--|--------------------------|----------------------------|--------------------------------|
| | | | <p>4. — Design and siting of the cabinet;</p> <p>5. — Whether there are difficult ground conditions or any technological, operational or topographical reasons why the network utility cannot be placed underground;</p> <p>6. — Any operational or functional needs of the infrastructure; and</p> <p>7. — Any topographical and other site constraints make compliance with the permitted standard impractical.</p> <p>Amend: Introduce a new standard recognising "Ancillary Transport Network" structures, with all necessary changes.</p> | | | | |
| 82.80 | Waka Kotahi NZ Transport Agency | INF-S22 | <p>Amend provision:</p> <p>1. National, Regional and Arterial roads All roads must be classified according to the Waka Kotahi New Zealand Transport Agency One Network Road Classification. Collector and Access Roads must be classified according to INF Table 1 (Road design standards).</p> | 3.5.7 | Reject | See body of the report | No |
| 81.339 | Kāinga Ora – Homes and Communities | INF-S22 | Delete standard INF-S22 and additionally relocate all transport provisions from the INF chapter to the TR chapter. | 3.5.7 | Reject | See body of the report | No |
| 68.18 ⁴⁶ | Carrus Corporation Ltd | INF-S22 | <p>Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010.</p> <p>Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p> | 3.5.7 | Accept in part | See body of the report | Yes |
| 59.15 ⁴⁷ | Kenepuru Limited Partnership | INF-S22 | <p>Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010.</p> <p>Or</p> <p>Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p> | 3.5.7 | Accept in part | See body of the report | Yes |
| 59.16 ⁴⁸ | Kenepuru Limited Partnership | INF-S23 | <p>Amend the standard to:</p> <ul style="list-style-type: none"> Remove the prohibition of no exit roads and replace with a requirement that they are only allowed where it is not possible to provide alternatives and that in that case alternative mode connectivity is to be provided unless it is unreasonable to do so. Rewrite Tables 1 and 3 to reflect NZS 4404:2010 or similar and include Lanes Private Rds that currently are in the Transport Section of the Plan | 3.5.8 | Accept in part | See body of the report | Yes |
| 68.19 ⁴⁹ | Carrus Corporation Ltd | INF-S23 | <p>Amend:</p> <p>1. Access Roads must not be permanent no-exit roads. <u>Where no exit streets are proposed connectivity and permeability in design for pedestrians and cyclists should be provided.</u></p> <p>2. Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010.</p> | 3.5.8 | Accept in part | See body of the report | Yes |

⁴⁶ Supported by Kenepuru Limited Partnership [FS20.23]

⁴⁷ Supported by Carrus Corporation Limited [FS62.16]

⁴⁸ Supported by Carrus Corporation Limited [FS62.19], supported in part by Kāinga Ora [FS65.157]

⁴⁹ Supported by Kenepuru Limited Partnership [FS20.24], supported in part by Kāinga Ora [FS65.158]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|--|-------------|---|--|--------------------------|----------------------------|--------------------------------|
| | | | Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. 3. Change Point 9 as follows 1. Retaining structures <u>not directly related to the construction of the road, must not be constructed in roads.</u> Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | | | | |
| 81.340 ⁵⁰ | Kāinga Ora – Homes and Communities | INF-S23 | Deletion and full reconsideration of this standard is sought, incorporating the amendments suggested. | 3.5.8 | Accept in part | See body of the report | Yes |
| 82.82 | Waka Kotahi NZ Transport Agency | INF-S23 | Amend provision: 5. Pedestrian walkways, cycleways and shared paths in a road must be designed in accordance with <u>Waka Kotahi Cycling Network Guidance (CNG) and Pedestrian Planning Design Guide.</u> Austrroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017). | 3.5.8 | Accept in part | See body of the report | Yes |
| 72.20 ⁵¹ | Survey + Spatial New Zealand (Wellington Branch) | INF-Table 1 | Road design should be as per NZS 4404:2010. | 3.5.8 | Accept in part | See body of the report | Yes |
| 59.17 ⁵² | Kenepuru Limited Partnership | INF-Table 1 | Update INF Table -1 to incorporate all the road layout and width options as set out in NZS 4404:2010. This will result in points 2 to 4 to be reviewed. Amend standard INF-S23 as follows: 1. Access Roads must where possible not be permanent no-exit roads. <u>Where no exit streets are proposed connectivity and permeability in design for pedestrians and cyclists should be provided.</u> 9. Retaining structures <u>not directly related to the construction of the road</u> must not be constructed in roads. Or Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission. | 3.5.8 | Accept in part | See body of the report | Yes |
| 82.83 ⁵³ | Waka Kotahi NZ Transport Agency | INF-Table 1 | Amend INF-Table 1 as per Appendix One attached to this submission. [Refer to original submission for full decision requested, including attachments] | 3.5.8 | Accept in part | See body of the report | Yes |
| 81.341 ⁵⁴ | Kāinga Ora – Homes and Communities | INF-Table 1 | Deletion of INF-Table 1 | 3.5.8 | Accept in part | See body of the report | Yes |
| 51.63 | Spark New Zealand Trading | INF-Table 2 | Amend the table as follows: [...] | 3.5.8 | Accept in part | See body of the report | Yes |

⁵⁰ Supported by Kenepuru Limited Partnership [FS20.25]; opposed by Spark New Zealand Trading Limited [FS42.2]

⁵¹ Supported by Kenepuru Limited Partnership [FS20.17], Supported in part Kāinga Ora [FS65.160]

⁵² Supported by Carrus Corporation Limited [FS62.17], supported in part by Kāinga Ora [FS65.159]

⁵³ Supported by Greater Wellington Regional Council [FS40.94]; opposed by Kenepuru Limited Partnership [FS20.29] and Kāinga Ora [FS65.161]

⁵⁴ Supported by Kenepuru Limited Partnership [FS20.26]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------------------------|---|--|--------------------------|----------------------------|--------------------------------|---|--------|-----------|----------------|-------------------------------|--------------|---------------|---------------|--|------------|------------|------------|---|--|---------------------------|-----|-----|--|---------------------------|---------------------------|-----|--|--|----------------------------|-----|-----|-------|--------|------------------------|-----|
| | Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | | <ul style="list-style-type: none"> <u>Telecommunication</u>, Distribution or customer connection electricity lines [...] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.342 ⁵⁵ | Kāinga Ora – Homes and Communities | INF-Table 2 | Delete Table 2 | 3.5.8 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 83.83 ⁵⁶ | Powerco Limited | INF-Table 2 | Amend INF – Table 2 – Horizontal Setback from underground infrastructure (m) in relation to distribution gas pipelines as follows: <table border="1" data-bbox="786 625 1160 766"> <thead> <tr> <th><300mm</th> <th>300-600mm</th> <th>>600mm</th> </tr> </thead> <tbody> <tr> <td>0.5<u>3.0</u></td> <td>1.5<u>3.0</u></td> <td>3.0</td> </tr> </tbody> </table> Add a requirement for all street trees to have root guards / barriers installed. | <300mm | 300-600mm | >600mm | 0.5 <u>3.0</u> | 1.5 <u>3.0</u> | 3.0 | 3.5.8 | Accept in part | See body of the report | Yes | | | | | | | | | | | | | | | | | | | | | | | | |
| <300mm | 300-600mm | >600mm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0.5 <u>3.0</u> | 1.5 <u>3.0</u> | 3.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11.13 ⁵⁷ | Porirua City Council | INF-Table 2 | Amend table as follows: <table border="1" data-bbox="786 840 1810 1696"> <thead> <tr> <th>INF-Table 2</th> <th colspan="3">Street trees</th> </tr> </thead> <tbody> <tr> <td>Size class at maturity (stem diameter at 1.5m above ground)</td> <td><300mm</td> <td>300-600mm</td> <td>>600mm</td> </tr> <tr> <td>Height at maturity</td> <td>8</td> <td>10</td> <td>25</td> </tr> <tr> <td>Minimum number of trees per 1000m² of road reserve</td> <td><u>8.0</u></td> <td><u>6.0</u></td> <td><u>4.0</u></td> </tr> <tr> <td rowspan="2">Horizontal setback distances from underground infrastructure (m)</td> <td>Manholes, drainage catchments, surface openings for underground infrastructure Trunk water mains Stormwater pipes >300mm diameter Sewer pipes >300mm diameter Distribution gGas distribution pipelines Electricity Ddistribution or customer connection electricity lines</td> <td>1.0<u>5.0</u></td> <td>1.5</td> <td>3.0</td> </tr> <tr> <td>Transmission gGas transmission pipelines Transmission eElectricity transmission lines</td> <td><u>3.0</u>4.0</td> <td><u>4.0</u>3.0</td> <td>4.0</td> </tr> <tr> <td>Horizontal setback distances from</td> <td>Hard surfaces (footpaths etc) Road curbs Vehicle crossings Masonry walls</td> <td>0.6<u>0.75</u></td> <td>1.0</td> <td>1.5</td> </tr> </tbody> </table> | INF-Table 2 | Street trees | | | Size class at maturity (stem diameter at 1.5m above ground) | <300mm | 300-600mm | >600mm | Height at maturity | 8 | 10 | 25 | Minimum number of trees per 1000m² of road reserve | <u>8.0</u> | <u>6.0</u> | <u>4.0</u> | Horizontal setback distances from underground infrastructure (m) | Manholes, drainage catchments, surface openings for underground infrastructure Trunk water mains Stormwater pipes >300mm diameter Sewer pipes >300mm diameter Distribution g Gas distribution pipelines Electricity D distribution or customer connection electricity lines | 1.0 <u>5.0</u> | 1.5 | 3.0 | Transmission g Gas transmission pipelines Transmission e Electricity transmission lines | <u>3.0</u> 4.0 | <u>4.0</u> 3.0 | 4.0 | Horizontal setback distances from | Hard surfaces (footpaths etc) Road curbs Vehicle crossings Masonry walls | 0.6 <u>0.75</u> | 1.0 | 1.5 | 3.5.8 | Accept | See body of the report | Yes |
| INF-Table 2 | Street trees | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Size class at maturity (stem diameter at 1.5m above ground) | <300mm | 300-600mm | >600mm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Height at maturity | 8 | 10 | 25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum number of trees per 1000m² of road reserve | <u>8.0</u> | <u>6.0</u> | <u>4.0</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Horizontal setback distances from underground infrastructure (m) | Manholes, drainage catchments, surface openings for underground infrastructure Trunk water mains Stormwater pipes >300mm diameter Sewer pipes >300mm diameter Distribution g Gas distribution pipelines Electricity D distribution or customer connection electricity lines | 1.0 <u>5.0</u> | 1.5 | 3.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Transmission g Gas transmission pipelines Transmission e Electricity transmission lines | <u>3.0</u> 4.0 | <u>4.0</u> 3.0 | 4.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Horizontal setback distances from | Hard surfaces (footpaths etc) Road curbs Vehicle crossings Masonry walls | 0.6 <u>0.75</u> | 1.0 | 1.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

⁵⁵ Supported by Kenepuru Limited Partnership [FS20.26]

⁵⁶ Supported by WELL [FS28.11]; opposed Kāinga Ora [FS65.162]

⁵⁷ Opposed by WELL [FS28.9] and Kāinga Ora [FS65.163]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---------------------------|---|--|--------------------------------------|----------------------------|--------------------------------|--|-------------------|------------|------------|------------|---------------|------------|------------|------------|--------------------------------|------------|------------|------------|---------------|--|--|--|---|---------------------------|-----|-----|--|--|--|--|---------------|-----|-----|-----|-------------------------------|-----|-----|-----|----------------------------------|---------------------------|-----|-----|--|------|------|------|--|--|--|--|
| | | | <table border="1"> <tr> <td rowspan="8">structures (m)</td> <td>Block paving, cobbles & paving slabs</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Vehicle crossings</td> <td><u>1.0</u></td> <td><u>1.0</u></td> <td><u>1.5</u></td> </tr> <tr> <td>Masonry walls</td> <td><u>1.0</u></td> <td><u>1.0</u></td> <td><u>1.5</u></td> </tr> <tr> <td>Pedestrian crossings and ramps</td> <td><u>2.5</u></td> <td><u>2.5</u></td> <td><u>2.5</u></td> </tr> <tr> <td>Pavers</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lightly loaded structures (bus shelters, garages etc)</td> <td>0.7<u>1.0</u></td> <td>1.5</td> <td>3.0</td> </tr> <tr> <td>Heavily loaded structures (houses etc)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Street lights</td> <td>5.0</td> <td>5.0</td> <td>8.0</td> </tr> <tr> <td>Minimum berm width (m)</td> <td>1.5</td> <td>2.0</td> <td>3.0</td> </tr> <tr> <td>Minimum topsoil depth (m)</td> <td>0.5<u>0.6</u></td> <td>0.6</td> <td>0.6</td> </tr> <tr> <td>Minimum soil volume (m³)</td> <td>10.0</td> <td>12.0</td> <td>20.0</td> </tr> </table> | structures (m) | Block paving, cobbles & paving slabs | | | | Vehicle crossings | <u>1.0</u> | <u>1.0</u> | <u>1.5</u> | Masonry walls | <u>1.0</u> | <u>1.0</u> | <u>1.5</u> | Pedestrian crossings and ramps | <u>2.5</u> | <u>2.5</u> | <u>2.5</u> | Pavers | | | | Lightly loaded structures (bus shelters, garages etc) | 0.7 <u>1.0</u> | 1.5 | 3.0 | Heavily loaded structures (houses etc) | | | | Street lights | 5.0 | 5.0 | 8.0 | Minimum berm width (m) | 1.5 | 2.0 | 3.0 | Minimum topsoil depth (m) | 0.5 <u>0.6</u> | 0.6 | 0.6 | Minimum soil volume (m³) | 10.0 | 12.0 | 20.0 | | | | |
| structures (m) | Block paving, cobbles & paving slabs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Vehicle crossings | <u>1.0</u> | <u>1.0</u> | | <u>1.5</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Masonry walls | <u>1.0</u> | <u>1.0</u> | | <u>1.5</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Pedestrian crossings and ramps | <u>2.5</u> | <u>2.5</u> | | <u>2.5</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Pavers | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Lightly loaded structures (bus shelters, garages etc) | 0.7 <u>1.0</u> | 1.5 | | 3.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Heavily loaded structures (houses etc) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Street lights | 5.0 | 5.0 | 8.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum berm width (m) | 1.5 | 2.0 | 3.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum topsoil depth (m) | 0.5 <u>0.6</u> | 0.6 | 0.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Minimum soil volume (m³) | 10.0 | 12.0 | 20.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 59.18 ⁵⁸ | Kenepuru Limited Partnership | INF-Table 3 | Replace factors and radius in the table with more appropriate values. These are in a different part of Austroads. | 3.5.8 | Accept in part | See body of the report | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.343 ⁵⁹ | Kāinga Ora – Homes and Communities | INF-Table 3 | Delete Table | 3.5.8 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.344 ⁶⁰ | Kāinga Ora – Homes and Communities | INF-S24 | Deletion from infrastructure chapter | 3.5.9 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.345 ⁶¹ | Kāinga Ora – Homes and Communities | INF-Table 4 | Delete Table | 3.5.9 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.346 ⁶² | Kāinga Ora – Homes and Communities | INF-Figure 1 | Delete Figure | 3.5.9 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.347 ⁶³ | Kāinga Ora – Homes and Communities | INF-Figure 2 | Delete Figure | 3.5.9 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

⁵⁸ Supported in part by Kāinga Ora [FS65.164]

⁵⁹ Supported by Kenepuru Limited Partnership [FS20.27]

⁶⁰ Supported by Kenepuru Limited Partnership [FS20.27]

⁶¹ Supported by Kenepuru Limited Partnership [FS20.27]

⁶² Supported by Kenepuru Limited Partnership [FS20.27]

⁶³ Supported by Kenepuru Limited Partnership [FS20.27]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------------------------------------|------------------------------------|-----------------------------------|---|--|-----------------------------------|-----------------------------------|--------------------------------|-------------|---------------------------------------|-----|---|----|----|-------|---|----|----|-------|---|----|-----|-------|---|----|-----|-------|---|-----|-----|-------|---|-----|-----|--------|---|-----|-----|--------|--------|------------------------|-----|
| 81.348 ⁶⁴ | Kāinga Ora – Homes and Communities | INF-Figure 3 | Delete Figure | 3.5.9 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.349 ⁶⁵ | Kāinga Ora – Homes and Communities | INF-S25 | Delete Standard | 3.5.10 | Accept in part | See body of the report | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.350 ⁶⁶ | Kāinga Ora – Homes and Communities | INF-Figure 4 | Delete Figure | 3.5.10 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 82.84 | Waka Kotahi NZ Transport Agency | INF-Figure 4 | Define 'Minor Road' and 'Major Road' under Definitions. | 3.5.10 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11.14 ⁶⁷ | Porirua City Council | INF-Table 5 | Amend table as follows: INF-Table 5 Minimum sight distances at intersections <table border="1" data-bbox="774 751 1813 1444"> <thead> <tr> <th rowspan="2">Operating speed (km/h) of major road</th> <th rowspan="2">Distance X (m) (see INF-Figure 4)</th> <th colspan="2">Distance Y (m) (see INF-Figure 4)</th> </tr> <tr> <th>Access road</th> <th>Collector road and higher order roads</th> </tr> </thead> <tbody> <tr> <td><40</td> <td>5</td> <td>35</td> <td>70</td> </tr> <tr> <td>41-50</td> <td>5</td> <td>45</td> <td>90</td> </tr> <tr> <td>51-60</td> <td>6</td> <td>65</td> <td>115</td> </tr> <tr> <td>61-70</td> <td>6</td> <td>85</td> <td>140</td> </tr> <tr> <td>71-80</td> <td>7</td> <td>105</td> <td>175</td> </tr> <tr> <td>81-90</td> <td>7</td> <td>130</td> <td>210</td> </tr> <tr> <td>91-100</td> <td>7</td> <td>160</td> <td>250</td> </tr> </tbody> </table> | Operating speed (km/h) of major road | Distance X (m) (see INF-Figure 4) | Distance Y (m) (see INF-Figure 4) | | Access road | Collector road and higher order roads | <40 | 5 | 35 | 70 | 41-50 | 5 | 45 | 90 | 51-60 | 6 | 65 | 115 | 61-70 | 6 | 85 | 140 | 71-80 | 7 | 105 | 175 | 81-90 | 7 | 130 | 210 | 91-100 | 7 | 160 | 250 | 3.5.10 | Accept | See body of the report | Yes |
| Operating speed (km/h) of major road | Distance X (m) (see INF-Figure 4) | Distance Y (m) (see INF-Figure 4) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Access road | Collector road and higher order roads | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <40 | 5 | 35 | 70 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 41-50 | 5 | 45 | 90 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 51-60 | 6 | 65 | 115 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 61-70 | 6 | 85 | 140 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 71-80 | 7 | 105 | 175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81-90 | 7 | 130 | 210 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 91-100 | 7 | 160 | 250 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 82.85 | Waka Kotahi NZ Transport Agency | INF-Table 5 | Amend INF-Table 5 as per Appendix Two attached to the submission. [Refer to original submission for full decision requested, including attachments] | 3.5.10 | Accept | See body of the report | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 81.351 ⁶⁸ | Kāinga Ora – Homes and Communities | INF-Table 5 | Delete Table | 3.5.10 | Reject | See body of the report | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

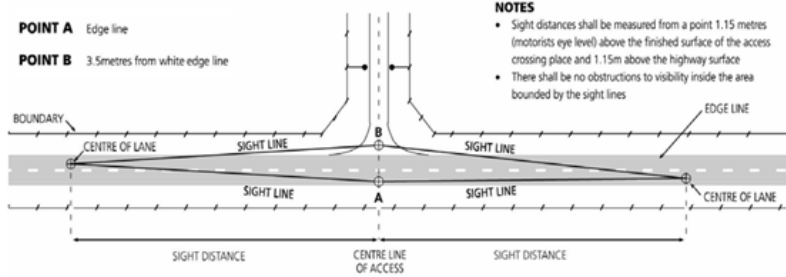
⁶⁴ Supported by Kenepuru Limited Partnership [FS20.27]

⁶⁵ Supported by Kenepuru Limited Partnership [FS20.27]

⁶⁶ Supported by Kenepuru Limited Partnership [FS20.27]

⁶⁷ Supported in part by Waka Kotahi NZ Transport Agency [FS36.1]

⁶⁸ Supported by Kenepuru Limited Partnership [FS20.28]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|--------------------------------------|--------------|---|--|--------------------------|---|--------------------------------|
| 81.352 ⁶⁹ | Kāinga Ora – Homes and Communities | INF-S26 | Amend: 1. The number of vehicle crossings per site <u>frontage</u> must not exceed one. 2. The length of a vehicle crossing parallel to the road must be no more than 6m. 3. The vehicle crossing for a site with frontage to two or more roads must be to the lower road classification. 4. The minimum design vehicle used for a vehicle crossing must be a 4.91m x 1.87m vehicle (85 th percentile vehicle). 5. The distance from vehicle crossings to road intersections and railway crossings must be in accordance with INF-Table 6. 6. Connections to roads must provide clear visibility splays for pedestrian safety from 1.0m above ground level as shown in INF-Figure 5. Note: Limited Access Roads may have additional or different requirements under the Government Roding Powers Act 1989. There are no matters of discretion for this standard. | 3.5.11 | Accept in part | See body of the report | Yes |
| 82.88 | Waka Kotahi NZ Transport Agency | INF-S26 | Amend provision: Note: Limited Access Roads Waka Kotahi NZ Transport Agency may have additional or different requirements <u>for state highways</u> under the Government Roding Powers Act 1989. | 3.5.11 | Accept | See body of the report | Yes |
| 86.43 | KiwiRail Holdings Limited (KiwiRail) | INF-S26 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 11.15 ⁷⁰ | Porirua City Council | INF-S26 | Amend the standard as follows: 7. <u>Minimum sight distances at vehicle crossings must be in accordance with INF-Table 6 and measured in accordance with INF-Figure 6.</u> Add figure as follows: <u>INF-Figure 6</u>  | 3.5.11 | Accept | See body of the report | Yes |
| 81.353 | Kāinga Ora – Homes and Communities | INF-Figure 5 | Delete Figure | 3.5.11 | Reject | See body of the report | No |
| 82.86 | Waka Kotahi NZ Transport Agency | INF-Figure 5 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

⁶⁹ Supported by Kenepuru Limited Partnership [FS20.30]; opposed by Greater Wellington Regional Council [FS40.57]

⁷⁰ Supported by Waka Kotahi NZ Transport Agency [FS36.2]; opposed in part by Kāinga Ora [FS65.165]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 59.26 | Kenepuru Limited Partnership | INF-Figure 5 | Amend the standard as follows: Change word in figure from "Boundary" to "Footpath" and amend the arrow in the diag. to match. | 3.5.11 | Reject | See body of the report | No |
| 82.87 ⁷¹ | Waka Kotahi NZ Transport Agency | INF-Table 6 | Amend INF-Table 6 as per Appendix Three attached to the submission. [Refer to original submission for full decision requested, including attachments] | 3.5.11 | Reject | See body of the report | No |
| 81.354 | Kāinga Ora – Homes and Communities | INF-Table 6 | Relocate Table to Transport Chapter | 3.5.11 | Accept | See body of the report | Yes |
| 82.89 | Waka Kotahi NZ Transport Agency | INF-S27 | Amend INF-S27.2 as follows: 2. Cycleways and shared paths on public land other than a road must be designed in accordance with the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) or NZ Cycle Trail Design Guide (2019). | 3.5.12 | Accept in part | See body of the report | Yes |
| 81.355 | Kāinga Ora – Homes and Communities | INF-S27 | Delete Standard | 3.5.12 | Reject | See body of the report | No |
| 82.14 | Waka Kotahi NZ Transport Agency | New definition – Limited Access Road | Add the following definition for “Limited Access Road”: <u>“Any road declared a limited access road under Section 88 of the Government Roading Powers Act 1989, Section 346A of the Local Government Act 1974, or the corresponding provisions of any former enactment.”</u> | Table B 1 | Accept | Agree with the submitter and the reasons given. The definition will assist in the interpretation and implementation of the Plan. | Yes |
| 81.32 | Kāinga Ora – Homes and Communities | Definition - Ancillary transport network infrastructure | Amend definition: Ancillary transport network infrastructure means infrastructure located within the road reserve or railway corridor that supports the transport network and includes: a. traffic control signals and devices; b. light poles; c. post boxes; d. landscaped gardens, artwork and sculptures; e. bus stops and shelters; f. train stations; g. telecommunication kiosks; h. public toilets; and i. road or rail furniture j <u>micro-mobility lock-up facilities.</u> | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.4 ⁷² | Waka Kotahi NZ Transport Agency | Definition - Ancillary transport network infrastructure | Amend definition: “means infrastructure located within the road reserve or railway corridor <u>by a network utility operator,</u> that supports the transport network and includes: [...]” | 3.5.13.2 | Accept | See body of the report | Yes |
| 86.1 | KiwiRail Holdings Limited (KiwiRail) | Definition - Ancillary transport network infrastructure | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

⁷¹ Opposed in part by Kāinga Ora [FS65.166]

⁷² Opposed in part by Kāinga Ora [FS65.33]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.5 | Waka Kotahi NZ Transport Agency | Definition - Annual average daily traffic movement | Amend definition: "Annual average daily traffic movement (AADT): Means the total yearly traffic movements volume in both directions divided by the number of days in the year, expressed as vehicles per day" | Table B 1 | Accept | Agree with the submitter and the reasons given. The definition will assist in the interpretation and implementation of the Plan. | Yes |
| 81.33 | Kāinga Ora – Homes and Communities | Definition - Annual average daily traffic movement | Retain definition as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.127 | Kāinga Ora – Homes and Communities | Definition - Planned network upgrade | Retain definition as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.20 ⁷³ | Waka Kotahi NZ Transport Agency | Definition - Planned network upgrade | Amend definition: "means any upgrade to the transport network set out in the <u>Wellington Regional Land Transport Plan, Wellington Regional Public Transport Plan or Porirua City Council Infrastructure Strategy.</u> " | 3.5.13.3 | Accept | See body of the report | Yes |
| 225.68 ⁷⁴ | Royal Forest and Bird Protection Society | Definition - Planned network upgrade | Delete the definition or amend to apply to transport network development which has been consented but where the consent has not yet been given effect to. | 3.5.13.3 | Reject | See body of the report | No |
| 81.178 | Kāinga Ora – Homes and Communities | Definition -Traffic Sign | Retain definition as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.25 | Waka Kotahi NZ Transport Agency | Definition -Traffic Sign | Amend definition: "means a device erected by, or at the direction of, a road controlling authority used on a road to instruct, advise, inform or guide traffic on a road for the purpose of traffic control; and including any but not limited to: a. sign, signal, or notice; b. traffic calming device; and c. marking or road surface treatment; d. a board, plate, screen or other device, whether or not illuminated, displaying words, figures, symbols or other material; and e. 'children crossing' flag, a hand-held Stop sign, a parking control sign and variable message signs." | n/a | Accept | Agree with the submitter and the reasons given. | Yes |
| National Grid | | | | | | | |
| 60.137 ⁷⁵ | Transpower New Zealand Ltd | Planning Maps | Amend the notation on the planning maps as follows: | 3.6.3 | Accept | See body of the report | Yes |

⁷³ Support in part Greater Wellington Regional Council [FS40.89]

⁷⁴ Opposed by Kāinga Ora [FS65.54]

⁷⁵ Opposed in part by Kāinga Ora [FS65.19]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | National Grid Corridor -Transmission Line Amend the line as shown on the planning maps to the centreline of the planning maps. And Any consequential amendments. | | | | |
| 81.812 ⁷⁶ | Kāinga Ora – Homes and Communities | Multiple provisions National Grid | Kāinga Ora seeks the following amendments consistent with its overall submission on the Plan. 1. Review and redrafting of the full package of provisions (objectives, policies, rules and definitions) in relation to the National Grid. | 3.6.1 | Reject | See body of the report | No |
| 81.936 ⁷⁷ | Kāinga Ora – Homes and Communities | General | Opposes the National Grid provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions), including the spatial extent of the corridor overlay as shown in the PDP is deleted and updated with more suitable controls. | 3.6.1 | Reject | See body of the report | No |
| 60.139 | Transpower New Zealand Ltd | General | The PDP needs to ensure that it: <ul style="list-style-type: none"> • Gives effect to the National Policy Statement on Electricity Transmission 2008 (“NPSET” or “NPS”); • Recognises the need to sustainably manage the National Grid as a physical resource of national significance; • Recognises the benefits of the National Grid at local, regional and national levels; and • Provides for the effective operation, maintenance, upgrading and development of the National Grid. | 3.6.1 | Accept | See body of the report | Yes |
| 60.131 | Transpower New Zealand Ltd | General | [Refer to original submission and specific submission points for full decision requested] While no specific decision sought, the submitter raised the following matter(s): <i>Broadly supportive of the PDP.</i> | 3.6.1 | Accept | See body of the report | Yes |
| 79.5 ⁷⁸ | Phillips Heather and Love Donald | General | Amend | 3.6.1 | Reject | See body of the report | No |
| 60.83 ⁷⁹ | Transpower New Zealand Ltd | SUB-Subdivision | Relocate the relevant National Grid rule (SUB-R15) to the Infrastructure Chapter. And Any consequential amendments. | 3.6.1 | Reject | See body of the report | No |
| 60.96 ⁸⁰ | Transpower New Zealand Ltd | General [GRZ chapter] | Relocate the relevant National Grid rules (R5 and R14) to the Infrastructure Chapter. | 3.6.1 | Accept in part | See body of the report | No |

⁷⁶ Opposed by Transpower New Zealand Ltd [FS04.58]

⁷⁷ Opposed by Transpower New Zealand Ltd [FS04.1]

⁷⁸ Opposed by Transpower New Zealand Ltd [FS04.7]

⁷⁹ Opposed by Kāinga Ora [FS65.253]

⁸⁰ Opposed by Kāinga Ora [FS65.291]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | Or If the National Grid rules be retained within Chapter GRZ insert policies to give effect to Rules R5 and R14, or at the very least provide clear cross referencing to the Infrastructure Chapter. And Any consequential amendments. | | | | |
| 60.100 ⁸¹ | Transpower New Zealand Ltd | General | Refer relief sought for General submission point on Chapter GRZ. [Refer to original submission for full decision requested] | 3.6.1 | Accept in part | See body of the report | No |
| 60.104 ⁸² | Transpower New Zealand Ltd | General | Refer relief sought for General submission point on Chapter GRZ. [Refer to original submission for full decision requested] | 3.6.1 | Accept in part | See body of the report | No |
| 60.110 ⁸³ | Transpower New Zealand Ltd | General | Refer relief sought above for General submission point on Chapter GRZ. [Refer to original submission for full decision requested] | 3.6.1 | Accept in part | See body of the report | No |
| 60.116 ⁸⁴ | Transpower New Zealand Ltd | General | Refer relief sought for General submission point on Chapter GRZ. [Refer to original submission for full decision requested] | 3.6.1 | Accept in part | See body of the report | No |
| 60.91 ⁸⁵ | Transpower New Zealand Ltd | EW-Earthworks | Relocate the relevant National Grid policies and rules (P4, P5, and R4) to the Infrastructure Chapter. And Any consequential amendments. | 3.6.1 | Reject | See body of the report | No |
| 60.135 ⁸⁶ | Transpower New Zealand Ltd | EW-R4 | Amend Rule EW-R4 as follows: [...] And Relocate the National Grid rule to the Infrastructure Chapter. And Any consequential amendments. | 3.6.1 | Reject | See body of the report | No |
| 60.31 ⁸⁷ | Transpower New Zealand Ltd | New Provision | Insert a new objective INF-Ox as follows: <u>INF-Ox The protection of the National Grid</u> <u>The safety, efficiency, operation, maintenance, repair, upgrading, and development of the National Grid is not constrained or compromised by subdivision, use and development.</u> And Any consequential amendments | 3.6.4 | Reject | See body of the report | No |

⁸¹ Opposed by Kāinga Ora [FS65.337]

⁸² Opposed by Kāinga Ora [FS65.346]

⁸³ Opposed by Kāinga Ora [FS65.405]

⁸⁴ Opposed by Kāinga Ora [FS65.411]

⁸⁵ Opposed by Kāinga Ora [FS65.272]

⁸⁶ Opposed by Kāinga Ora [FS65.276]

⁸⁷ Opposed by Forest and Bird [FS52.1] and Kāinga Ora [FS65.89]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 60.36 ⁸⁸ | Transpower New Zealand Ltd | New provision | Insert a new Policy INF-Pxx as follows: <u>INF-Pxx Maintenance, operation and minor upgrade the National Grid</u> 1. <u>Enable the reasonable operation, repair, maintenance, replacement and minor upgrade of the National Grid.</u> And Any consequential amendments | 3.6.4 | Accept in part | See body of the report | Yes |
| 60.34 ⁸⁹ | Transpower New Zealand Ltd | INF-P1 | Retain INF-P1 and include a new National Grid policy as follows: <u>INF-Px The benefits of the National Grid</u> <u>Recognise and provide for the social, economic, environmental and cultural benefits of the National Grid, including sustainable, secure and efficient electricity transmission.</u> Or Should the new policy not be provided, amend INF-P1 to give effect to the above relief sought. And Any consequential amendments | 3.6.4 | Reject | See body of the report | No |
| 60.134 ⁹⁰ | Transpower New Zealand Ltd | INF-P5 | Split the policy and have a specific National Grid policy. Notwithstanding the policy structure, amend the Policy INF-P5 as follows: <u>INF-P5 Adverse effects on Regionally Significant Infrastructure the National Grid</u> Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of <u>Regionally Significant Infrastructure the National Grid</u> from being unreasonably compromised by: 1. <u>Avoiding land uses (including sensitive activities and intensive farming activities) and buildings and structures platforms located within the National Grid Yard that may compromise the National Grid;</u> 2. Only allowing subdivision within the National Grid <u>Subdivision Corridor and National Grid Pauatahanui Substation Yard</u> where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated , taking into account: a. The impact of <u>the</u> subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid, <u>including the ability for continued reasonable access to existing transmission assets for maintenance, inspections and upgrading;</u> b. The ability of any potential future development to comply with NZECP 34.2001 New Zealand Electricity Code of Practice for Electricity Safety Distances; c. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a <u>principal building or dwelling</u> can be provided outside of the National Grid Yard for each new lot; d. The risk to the structural integrity of the National Grid; e. 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; | 3.6.5.1 | Accept in part | See body of the report | Yes |

⁸⁸ Opposed by Kāinga Ora [FS65.99]⁸⁹ Opposed by Kāinga Ora [FS65.100]⁹⁰ Opposed by Kāinga Ora [FS65.108]

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| | | | <p>f. <u>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid;</u></p> <p>g. <u>The outcome of any consultation with Transpower.</u></p> <p>-</p> <p>Provide clauses 3-7 into a separate policy, as follows.</p> <p><u>INF-P5 Adverse effects on Regionally Significant Infrastructure</u></p> <p><u>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised by:</u></p> <p>3. Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network;</p> <p>4. Requiring sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor and State Highways are avoided, remedied or mitigated;</p> <p>5. Requiring any buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances within the National Grid and Gas Transmission Network;</p> <p>6. Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:</p> <p>a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;</p> <p>b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;</p> <p>c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and</p> <p>7. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.</p> <p>And</p> <p>Any consequential amendments</p> | | | | |
| 81.251 ⁹¹ | Kāinga Ora – Homes and Communities | INF-P5 | <p>Delete:</p> <p>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised by:</p> <p>1. Avoiding sensitive activities and building platforms located within the National Grid Yard;</p> <p>2. Only allowing subdivision within the National Grid Corridor where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:</p> <p>a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid;</p> | 3.6.5.1 | Reject | See body of the report | No |

⁹¹ Opposed by Transpower New Zealand Ltd [FS04.33], Powerco Limited [FS37.3], Radio New Zealand Ltd [FS60.54] and Firstgas Ltd [FS63.18]

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| | | | <p>b. — The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;</p> <p>c. — The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot;</p> <p>d. — The risk to the structural integrity of the National Grid;</p> <p>e. — 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;</p> <p>3. — Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network;</p> <p>4. — Requiring new sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor and State Highways are avoided, remedied or mitigated;</p> <p>5. — Requiring any new buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances within the National Grid and Gas Transmission Network;</p> <p>6. — Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:</p> <p>a. — The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure;</p> <p>b. — The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided;</p> <p>c. — The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and</p> <p>7. — Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and —? repair of, that infrastructure.</p> | | | | |
| 81.252 ⁹² | Kāinga Ora – Homes and Communities | INF-P6 | <p>Delete:</p> <p>Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, while:</p> <p>1. — Having regard to the extent to which adverse effects have been avoided, remedied or mitigated;</p> <p>2. — Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects;</p> <p>3. — Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 – Significant Natural Areas;</p> <p>4. — Recognising the potential benefits of upgrades to existing transmission lines to people and communities;</p> | 3.6.5 | Reject | See body of the report | No |

⁹² Transpower New Zealand Ltd [FS04.34]

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| | | | <p>5. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Residential Zones, Open Space and Recreation Zones and existing sensitive activities;</p> <p>6. Seeking to avoid adverse effects on areas identified in SCHED9 – Outstanding Natural Features and Landscapes, SCHED11 – Coastal High Natural Character Areas, SCHED7 – Significant Natural Areas, SCHED10 – Special Amenity Landscapes and Open Space and Recreation Zones; and</p> <p>7. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.</p> | | | | |
| 60.37 ⁹³ | Transpower New Zealand Ltd | INF-P6 | <p>Merge INF-P6 and INF-P7 as follows: (Note, Provisions relocated from proposed INF-6 are included below).</p> <p>INF-P6/7 Upgrading and Development of the National Grid</p> <p>Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, and development of the National Grid, while:</p> <ol style="list-style-type: none"> 1. In urban areas, minimising adverse effects on urban amenity and avoiding <u>material</u> adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED11 - Coastal High Natural Character Areas, SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones; 3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes in the Coastal Environment; 4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and 5. Recognising the potential benefits of upgrades to existing transmission lines to people and communities; 6. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade. 7. When considering the adverse effects in respect of 1-4 above; 8. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and 9. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects. <p><u>Recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas. In the event of any conflict with any other landscape, natural character and Significant natural area objectives or policies in this plan, INF-P6/7 takes precedence.</u></p> <p>And</p> <p>Any consequential amendments</p> | 3.6.5 | Reject | See body of the report | No |

⁹³ Opposed in part by Director-General of Conservation [FS39.48]; opposed by Kāinga Ora [FS65.111]

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| 225.111 ⁹⁴ | Royal Forest and Bird Protection Society | INF-P6 | <p>Amend as follows:</p> <p>Provide for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities, while:</p> <ol style="list-style-type: none"> 1. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated; 2. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects; 3. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 – Significant Natural Areas; 4. Recognising the potential benefits of upgrades to existing transmission lines to people and communities; 5. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 6. Seeking to avoid adverse effects on areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED11 - Coastal High Natural Character Areas, SCHED7 - Significant Natural Areas, SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones; <u>7A. Protecting SNAs and natural wetlands and maintaining indigenous biological diversity; and</u> 7. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade. | 3.6.5 | Reject | See body of the report | No |
| 225.112 ⁹⁵ | Royal Forest and Bird Protection Society | INF-P7 | <p>Amend as follows:</p> <p>Provide for the development of the National Grid, while:</p> <ol style="list-style-type: none"> 1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED10 - Special Amenity Landscapes and Open Space and Recreation Zones; 3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes in the Coastal Environment; 4. Avoiding adverse effects of the National Grid within areas identified in SCHED7 – Significant Natural Areas in the Coastal Environment and within natural wetlands. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 – Significant Natural Areas; and <u>4A. Protecting SNAs and maintaining indigenous biological diversity; and</u> 5. When considering the adverse effects in respect of 1-4 above; | 3.6.5 | Reject | See body of the report | No |

⁹⁴ Supported by Director-General of Conservation [FS39.2]; opposed by Kāinga Ora [FS65.112]

⁹⁵ Supported by Director-General of Conservation [FS39.3]; opposed by Transpower New Zealand Ltd [FS04.35]

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| | | | a. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and b. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects. | | | | |
| 60.38 ⁹⁶ | Transpower New Zealand Ltd | INF-P7 | Refer relief sought for Policy INF-P6 [Refer to original submission and specific submission point for INF-P6] | 3.6.5 | Reject | See body of the report | No |
| 81.253 ⁹⁷ | Kāinga Ora – Homes and Communities | INF-P7 | Delete: Provide for the development of the National Grid, while: 1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED10 – Special Amenity Landscapes and Open Space and Recreation Zones; 3. Avoiding the adverse effects of the National Grid within areas identified in SCHED9 – Outstanding Natural Features and Landscapes in the Coastal Environment; 4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 – Significant Natural Areas; and 5. When considering the adverse effects in respect of 1-4 above; a. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and b. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects. | 3.6.5 | Reject | See body of the report | No |
| 60.43 ⁹⁸ | Transpower New Zealand Ltd | INF-P20 | Retain Policy INF-P20 if policies INF-P6 and INF-P7 are amended as sought. Amend Policy INF-P20 to give effect to the NPSET if a new policy is not provided. | 3.6.5 | Reject | See body of the report | No |
| 60.44 ⁹⁹ | Transpower New Zealand Ltd | INF-P21 | Retain Policy INF-P21 if policy INF-P6 and INF-P7 are amended as sought. Amend Policy INF-P21 to give effect to the NPSET if a new policy is not provided. | 3.6.5 | Reject | See body of the report | No |
| 85.22 ¹⁰⁰ | Wellington Electricity Lines Limited | INF-P24 | Amend the policy as below: b) The extent to which the proposed development will avoid the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid Pāuatahanui Substation and associated equipment. | 3.6.5 | Reject | See body of the report | No |

⁹⁶ Opposed by Kāinga Ora [FS65.113]

⁹⁷ Opposed by Transpower New Zealand Ltd [FS04.36]

⁹⁸ Opposed by Kāinga Ora [FS65.131]

⁹⁹ Opposed by Kāinga Ora [FS65.131]

¹⁰⁰ Supported by Transpower New Zealand Ltd [FS04.37]; opposed by Kāinga Ora [FS65.133]

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| 81.270 ¹⁰¹ | Kāinga Ora – Homes and Communities | INF-P24 | <p>Delete:</p> <p>Consider the following matters when assessing any buildings, structures and activities proposed within the National Grid Pauatahanui Substation Yard:</p> <p>1. Where located in the Settlement Zone:</p> <p>a. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation; and</p> <p>b. The extent to which the proposed development will avoid the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid Pauatahanui Substation.</p> <p>2. Where located in any zone, including the Settlement Zone:</p> <p>a. The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</p> <p>b. Measures proposed to mitigate other adverse effects on the operation, maintenance, upgrading and development of the substation;</p> <p>c. Technical advice from an electrical engineer specialising in electricity transmission;</p> <p>d. The outcome of any consultation with Transpower; and</p> <p>e. Whether the building, structure or sensitive activity could be located further from the substation.</p> | 3.6.5 | Reject | See body of the report | No |
| 60.47 ¹⁰² | Transpower New Zealand Ltd | INF-P24 | <p>Amend Policy INF-P24 as follows:</p> <p>INF-P24 The National Grid Pauatahanui Substation Yard</p> <p>Consider the following matters when assessing any <u>new buildings, structures and for sensitive activities</u> proposed within the National Grid Pauatahanui Substation Yard:</p> <ol style="list-style-type: none"> 1. Where located in the Settlement Zone: 2. The extent to which the proposed development design and layout enables appropriate separation distances between sensitive activities and the substation; and 3. The extent to which the proposed development will avoid the potential reverse sensitivity effects on and amenity and nuisance effects of the National Grid Pauatahanui Substation. 4. Where located in any zone, including the Settlement Zone: 5. The risk of electrical hazards affecting public or individual safety, and the risk of property damage; 6. Measures proposed to mitigate other adverse effects on the operation, maintenance, upgrading and development of the substation; 7. Technical advice from an electrical engineer specialising in electricity transmission; 8. The outcome of any consultation with Transpower; and 9. Whether the building, structure or sensitive activity could be located further from the substation. <p>And</p> <p>Any consequential amendments.</p> | 3.6.5 | Reject | See body of the report | No |

¹⁰¹ Opposed Transpower New Zealand Ltd [FS04.38]

¹⁰² Opposed by Kāinga Ora [FS65.134]

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| 81.297 ¹⁰³ | Kāinga Ora – Homes and Communities | INF-R25 | <p>Amend:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and</p> <p>b. Any earthworks within the National Grid Yard do not:</p> <p style="padding-left: 20px;">i. Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure;</p> <p style="padding-left: 20px;">ii. Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and</p> <p style="padding-left: 20px;">iii. Result in a reduction of the existing conductor clearance distances.</p> <p>c. Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth.</p> <p>Note:</p> <p>To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.c.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in EW-P5.</p> <p>Notification:</p> <p>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that First Gas Limited may be notified.</p> <p>Notification:</p> <p>— An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> <p>— When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Limited.</p> <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.a or INF-R25-1.b.</p> <p>Notification:</p> <ul style="list-style-type: none"> • An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. <p>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</p> | 3.6.6 | Reject | See body of the report | No |
| 84.20 ¹⁰⁴ | Firstgas Limited | INF-R25 | Amend Rule as follows: | 3.6.6 | Accept in part | See body of the report | Yes |

¹⁰³ Opposed by Transpower New Zealand Ltd [FS04.40]

¹⁰⁴ Supported by Transpower New Zealand Ltd [FS04.41]

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| | | | <p>Infrastructure and the operation, maintenance and repair, upgrading and removal of existing infrastructure and associated earthworks in the National Grid Yard and Gas Transmission Pipeline Corridor</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and</p> <p>b. Any earthworks within the National Grid Yard do not:</p> <ol style="list-style-type: none"> Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure; Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and Result in a reduction of the existing conductor clearance distances. <p>c. Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth.</p> <p>Note:</p> <p><u>1.</u> To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</p> <p><u>2.</u> This rule does not apply to the owners and occupiers of the National Grid Yard and Gas Transmission Pipeline Corridor.</p> | | | | |
| 60.54 | Transpower New Zealand Ltd | INF-R25 | Delete the application of INF-R25 to the National Grid on the basis of a new/rehoused earthworks rule INF-Ryy specific to the National Grid. | 3.6.6 | Reject | See body of the report | No |
| 60.56 | Transpower New Zealand Ltd | INF-R34 | <p>Amend Rule INF-R34 as follows:</p> <p>INF-R34 Upgrading of transmission lines <u>at or above</u> 110kV that are not regulated by the NESETA</p> <p>All Zones:</p> <ol style="list-style-type: none"> Activity status: Restricted discretionary <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in INF-P1; The matters in INF-P6. <p>And</p> <p>Any consequential amendments.</p> | Table B 1 | Accept | Agree with the submitter's amendments sought for the reasons stated. | Yes |
| 60.57 | Transpower New Zealand Ltd | INF-R39 | <p>Amend INF-R39 as follows (refer underline text):</p> <p>INF-R39 Upgrading of infrastructure, excluding roads and walkways, cycleways and shared paths <u>and activities captured under INF-R34</u>, located in an area identified in SCHED7 – Significant Natural Areas</p> <p>All Zones:</p> <ol style="list-style-type: none"> Activity status: Restricted discretionary. <p>Where:</p> <p>.....</p> <p>And</p> <p>Any consequential amendments.</p> | 3.6.7 | Reject | See body of report | No |
| 60.58 | Transpower New Zealand Ltd | INF-R41 | <p>Amend INF-R41 as follows:</p> <p>INF-R41 <u>New</u> Transmission lines, <u>including any ancillary access tracks</u>, and new transformers, substations, switching stations and ancillary buildings for the electricity network.</p> <p>All Zones:</p> | n/a | Accept | Agree with submitter | Yes |

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| | | | 1. Activity status: Discretionary And Any consequential amendments. | | | | |
| 60.60 | Transpower New Zealand Ltd | INF-R44 | Amend INF-R44 as follows: INF-44 Upgrading of infrastructure and new infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths which is located in an area identified in SCHED 9 - Outstanding Natural Features and Landscapes, <u>excluding activities captured under INF-R34</u> All Zones: 1. Activity status: Discretionary And Any consequential amendments. | 3.6.7 | Reject | See body of report | No |
| 60.61 | Transpower New Zealand Ltd | INF-R45 | Amend INF-R45 as follows (refer underline text): INF-R45 New infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located on or within a heritage item, heritage setting, historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites, SCHED6 - Sites and Areas of Significance to Maori, SCHED10 – Special Amenity Landscapes or SCHED 11 – Coastal High Natural Character Areas, <u>excluding activities captured under INF-R41</u> All Zones: 1. Activity status: Discretionary And Any consequential amendments. | 3.6.7 | Reject | See body of report | No |
| 81.480 | Kāinga Ora – Homes and Communities | National Grid | Amend to be consistent with its overall submission on the Plan. Key areas of concern are (but not limited to): 1. Deletion of provisions relating to the National Grid; 2. Incorporate notification exclusion clauses; and 3. Consequential changes to incorporate all earthworks provisions, except those in the Infrastructure Chapter | 3.6.8 | Reject | See body of the report | No |
| 81.487 ¹⁰⁵ | Kāinga Ora – Homes and Communities | EW-P5 | Amend: [...] The submitter also raised the following matter(s): Opposes the National Grid provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions) including the spatial extent of the overlay shown in the PDP is amended. | 3.6.8 | Reject | See body of the report | No |
| 81.491 ¹⁰⁶ | Kāinga Ora – Homes and Communities | EW-R4 | Delete: 1. Activity status: Permitted Where: a. Earthworks must not: | 3.6.8 | Reject | See body of the report | No |

¹⁰⁵ Opposed by Transpower New Zealand Ltd [FS04.50]

¹⁰⁶ Opposed by Transpower New Zealand Ltd [FS04.51]

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| | | | <p>i. Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure;</p> <p>ii. Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and</p> <p>ii. Result in a reduction of the existing conductor clearance distances.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with EW R4 1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in EW-P5.</p> <p>Notification</p> <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. <p>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</p> | | | | |
| 81.466 ¹⁰⁷ | Kāinga Ora – Homes and Communities | SUB-R15 | <p>Delete:</p> <p>All Zones:</p> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building which is located entirely outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P5.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R15 1.a.</p> | 3.6.8 | Reject | See body of the report | No |
| 60.98 ¹⁰⁸ | Transpower New Zealand Ltd | GRZ-R5 | <p>Amend GRZ-R5 as follows:</p> <p>Delete GRZ-R5 Clause 1 and replace with the following to be located within the Infrastructure chapter, and amend Clause 2 as follows:</p> <p><u>INF-Ryyy Buildings, structures and activities within the National Grid Yard</u></p> <p>1. <u>Activity status: Permitted</u></p> <p>Where:</p> <p>1. <u>The activity is not a sensitive activity</u></p> <p>2. <u>The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Classification) Regulations 2001) 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></p> <p>3. <u>The building or structure has a minimum vertical clearance of 10 metres below the lowest point of a conductor or otherwise meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663 under all transmission line and building operating conditions and is:</u></p> | 3.6.9 | Reject | See body of the report | No |

¹⁰⁷ Opposed by Transpower New Zealand Ltd [FS04.46]

¹⁰⁸ Opposed by Kāinga Ora [FS65.302]

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| | | | <p><u>a. a fence not exceeding 2.5 metres in height;</u> <u>b. an uninhabited farm or horticultural structure or building (but not commercial greenhouses, protective canopies, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms));</u> <u>c. for alterations and additions to an existing building or structure for a sensitive activity, does not involve an increase in the building height or building footprint; or</u> <u>d. an accessory building associated with an existing residential activity that is less than 10m² and 2.5m in height;</u> <u>e. infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991 or any part of electricity infrastructure that connects the National Grid.</u></p> <p><u>4. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line tower or pole, except where it:</u> <u>a. is a fence not exceeding 2.5 metres in height that is located at least:</u> <u>i. 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower; or</u> <u>ii. 5 metres from the outer visible edge of a foundation of a National Grid transmission line pole.</u> <u>b. is an artificial crop protection structure or crop support structure not exceeding 2.5 metres in height and located at least 8 metres from a National Grid transmission line pole that:</u> <u>i. is removable or temporary to allow a clear working space of 12 metres from the pole for maintenance; and</u> <u>ii. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</u> <u>c. meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663.</u></p> <p>Note: To avoid doubt, GRZ-R1the respective zone rules also applyies. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan. <u>Vegetation to be planted around the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p>2. Activity status: Non-complying Where: a. Compliance is not achieved with GRZ-R5-1, INF-Ryyy-1a, GRZ-R5-1.b, or GRZ-R5-1.c or b. The building or structure is not provided for within INF-Ryyy-1.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> | | | | |

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| | | | When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, Porirua City Council will give specific consideration to any adverse effects on Transpower. Or Should the National Grid rule GRZ-R5 be retained within Chapter GRZ amend the rule consistent with the above relief. And Any consequential amendments. | | | | |
| 60.99 ¹⁰⁹ | Transpower New Zealand Ltd | GRZ-R14 | Delete Rule GRZ-R14 and insert provision within proposed rule INF-Ryyy as sought to be amended. [Refer to original submission and specific submission points for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.102 ¹¹⁰ | Transpower New Zealand Ltd | GRUZ-R2 | Refer relief sought for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.103 ¹¹¹ | Transpower New Zealand Ltd | GRUZ-R13 | Refer relief sought for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.105 ¹¹² | Transpower New Zealand Ltd | RLZ-R2 | Refer relief sought for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.118 ¹¹³ | Transpower New Zealand Ltd | FUZ-R2 | Refer relief sought for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.119 ¹¹⁴ | Transpower New Zealand Ltd | FUZ-R13 | Refer relief sought or General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.106 ¹¹⁵ | Transpower New Zealand Ltd | RLZ-R13 | Refer relief sought for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.112 ¹¹⁶ | Transpower New Zealand Ltd | OSZ-R2 | Refer relief sought above for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.113 ¹¹⁷ | Transpower New Zealand Ltd | OSZ-R11 | Refer relief sought above for General Residential Zone GRZ-R5 and R14. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |

¹⁰⁹ Opposed by Kāinga Ora [FS65.307]

¹¹⁰ Opposed by Kāinga Ora [FS65.343]

¹¹¹ Opposed by Kāinga Ora [FS65.345]

¹¹² Opposed by Kāinga Ora [FS65.352]

¹¹³ Opposed by Kāinga Ora [FS65.418]

¹¹⁴ Opposed by Kāinga Ora [FS65.419]

¹¹⁵ Opposed by Kāinga Ora [FS65.353]

¹¹⁶ Opposed by Kāinga Ora [FS65.407]

¹¹⁷ Opposed by Kāinga Ora [FS65.408]

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| 60.136 ¹¹⁸ | Transpower New Zealand Ltd | RLZ-R16 | Amend RLZ-R16 as follows: Delete RLZ-R16 and replace with the following to be located in the Infrastructure chapter: <u>INF-Ryx New buildings for sensitive activities in the National Grid Pauatahanui Substation Yard</u> <u>Activity status: Restricted Discretionary</u> - <u>Matters of discretion are restricted to:</u> 1. <u>The matters in INF-P24; and</u> Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower. Or Should the National Grid rule R16 be retained within Chapter RLZ amend the rule consistent with the above relief. And Any consequential amendments. | 3.6.9 | | | |
| 60.107 ¹¹⁹ | Transpower New Zealand Ltd | RLZ-R17 | Delete Rule RLZ-R17 on the basis of amendments to RLZ-R16 and its replacement with proposed INF-yx. | 3.6.9 | Reject | See body of the report | No |
| 60.114 ¹²⁰ | Transpower New Zealand Ltd | OSZ-R13 | Refer relief sought for Rural Lifestyle Zone RLZ-R16 and R17. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.115 ¹²¹ | Transpower New Zealand Ltd | OSZ-R14 | Refer relief sought for Rural Lifestyle Zone RLZ-R16 and R17. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.108 ¹²² | Transpower New Zealand Ltd | SETZ-R19 | Refer relief sought for Rural Lifestyle Zone RLZ-R16 and R17. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.109 ¹²³ | Transpower New Zealand Ltd | SETZ-R20 | Refer relief sought for Rural Lifestyle Zone RLZ-R16 and R17. [Refer to original submission for full decision requested] | 3.6.9 | Reject | See body of the report | No |
| 60.111 ¹²⁴ | Transpower New Zealand Ltd | OSZ-P5 | Amend Policy OSZ-P5 as follows: OSZ-P5 Inappropriate use and development | 3.6.9 | Reject | See body of the report | No |

¹¹⁸ Opposed by Kāinga Ora [FS65.354]

¹¹⁹ Opposed by Kāinga Ora [FS65.355]

¹²⁰ Opposed by Kāinga Ora [FS65.409]

¹²¹ Opposed by Kāinga Ora [FS65.410]

¹²² Opposed by Kāinga Ora [FS65.358]

¹²³ Opposed by Kāinga Ora [FS65.358]

¹²⁴ Supported by Radio New Zealand Ltd [FS60.59]; opposed by Kāinga Ora [FS65.406]

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| | | | Avoid use and development that is incompatible with the purpose, character and amenity values of the Open Space Zone, unless there is a functional need <u>or operational need</u> to operate on the site. And Any consequential amendments | | | | |
| 81.542 ¹²⁵ | Kāinga Ora – Homes and Communities | GRZ-R5 | Delete: 1. Activity status: Permitted Where: a. Where the building or structure is a fence that is no greater than 2m in height and is located no closer than: i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole; or b. The building or structure is an accessory building that is associated with an existing residential activity and is less than 10m² in area and 2.5m in height; and c. Any alterations to an existing building or structure that is used for a sensitive activity do not increase the building or structure height or footprint. Note: To avoid doubt, GRZ-R1 also applies. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan. 2. Activity status: Non-complying Where: a. Compliance is not achieved with GRZ-R5 1.a, GRZ-R5 1.b, or GRZ-R5 1.c. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, Porirua City Council will give specific consideration to any adverse effects on Transpower. | 3.6.9 | Reject | See body of the report | No |
| 81.551 ¹²⁶ | Kāinga Ora – Homes and Communities | GRZ-R14 National Grid | Delete: 1. Activity status: Permitted Where: a. The activity is not a sensitive activity. 2. Activity status: Non-complying Where: a. Compliance is not achieved with GRZ-R14-1.a. | 3.6.9 | Reject | See body of the report | No |

¹²⁵ Opposed by Transpower New Zealand Ltd [FS04.52]¹²⁶ Opposed by Transpower New Zealand Ltd [FS04.53]

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| | | | Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, Porirua City Council will give specific consideration to any adverse effects on Transpower. | | | | |
| 81.643 ¹²⁷ | Kāinga Ora – Homes and Communities | Multiple provisions, National Grid | Kāinga Ora seeks amendments consistent with its overall submission on the Plan. Key areas of concern are (but not limited to): 1. Deletion of provisions relating to the National Grid 2. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'. | 3.6.9 | Reject | See body of the report | No |
| 81.644 ¹²⁸ | Kāinga Ora – Homes and Communities | Multiple provisions, National Grid | Kāinga Ora seeks amendments consistent with its overall submission on the Plan. Key areas of concern are (but not limited to): 1. Deletion of provisions relating to the National Grid 2. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'. | 3.6.9 | Reject | See body of the report | No |
| 81.645 ¹²⁹ | Kāinga Ora – Homes and Communities | Multiple provisions National Grid | Kāinga Ora seeks amendments consistent with its overall submission on the Plan. Key areas of concern are (but not limited to): 1. Deletion of provisions relating to the National Grid 2. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'. | 3.6.9 | Reject | See body of the report | No |
| 81.815 ¹³⁰ | Kāinga Ora – Homes and Communities | Multiple provisions National Grid Notification preclusion | Kāinga Ora seeks consequential changes consistent with its overall submission on the PDP. Key areas of concern are (but not limited to): 1. Review and re-drafting of notification exclusion clauses; 2. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'; 3. Review and redrafting of the full package of provisions (objectives, policies, rules and definitions) in relation to the National Grid. 4. Consequential changes to the numbering of provisions following changes sought throughout chapter. | 3.6.9 | Reject | See body of the report | No |

¹²⁷ Opposed by Transpower New Zealand Ltd [FS04.55]

¹²⁸ Opposed by Transpower New Zealand Ltd [FS04.56]

¹²⁹ Opposed by Transpower New Zealand Ltd [FS04.57]

¹³⁰ Opposed by John Carrad [FS43.2], The Neil Group Limited and the Gray Family [FS44.2], Pukerua Property Group Limited [FS45.2] and Transpower New Zealand Ltd [FS04.59]

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| 81.826 ¹³¹ | Kāinga Ora – Homes and Communities | FUZ-R2 National Grid | <p>Delete:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The building or structure is a non-habitable farm or horticulture structure or building or a stockyard or platform ancillary to milking/dairy sheds (excluding commercial greenhouses, wintering barns, produce packing facilities and milking/dairy sheds);</p> <p>b. The building or structure is a fence that is no greater than 2.5m in height and is located no closer than:</p> <p>i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</p> <p>ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole; or</p> <p>c. The building or structure is an artificial crop protection structure or crop support structure is no greater than 2.5m in height and is located at least 8m from a National Grid transmission line pole;</p> <p>d. The building or structure is an accessory building that is associated with an existing residential activity and is less than 10m² in area and 2.5m in height; and</p> <p>e. Any alterations to an existing building or structure that is used for a sensitive activity do not result in an increase to the building or structure height or footprint.</p> <p>Note:</p> <ul style="list-style-type: none"> • To avoid doubt, FUZ-R1 also applies. • Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan. <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-R2-1.a, FUZ-R2-1.b, FUZ-R2-1.c, FUZ-R2-1.d, or FUZ-R2-1.e.</p> <p>Notification:</p> <ul style="list-style-type: none"> • An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. <p>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</p> | 3.6.9 | Reject | See body of the report | No |
| 81.837 ¹³² | Kāinga Ora – Homes and Communities | FUZ-R13 National Grid | <p>Delete:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is not a sensitive activity.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> | 3.6.9 | Reject | See body of the report | No |

¹³¹ Opposed by Transpower New Zealand Ltd [FS04.60]

¹³² Opposed by Transpower New Zealand Ltd [FS04.61]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>a. — Compliance is not achieved with FUZ-R13-1.a.</p> <p>Notification:</p> <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. <p>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</p> | | | | |
| 155.15 | Design Network Architecture Limited | GRZ-R5 | <p>[Not specified, refer to original submission]</p> <p>While no specific decision sought, the submitter raised the following matter(s): Supported</p> | n/a | Accept | Agree with submitter | No |
| 155.24 | Design Network Architecture Limited | GRZ-R14 | <p>[Not specified, refer to original submission]</p> <p>While no specific decision sought, the submitter raised the following matter(s): Supported</p> | n/a | Accept | Agree with submitter | No |
| 81.108 | Kāinga Ora – Homes and Communities | Definition – National Grid | Retain definition as notified | 3.6.10.1 | Reject | See body of the report | No |
| 60.10 ¹³³ | Transpower New Zealand Ltd | Definition – National Grid | <p>The definition be amended as follows:</p> <p>National Grid</p> <p>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p>means the network that transmits high-voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including—</p> <ol style="list-style-type: none"> transmission lines; and electricity substations. <p>means 'National Grid' as defined in the National Policy Statement on Electricity Transmission 2008.</p> <p>And</p> <p>Any consequential amendments</p> | 3.6.10.1 | Accept in part | See body of the report | Yes |
| 60.132 ¹³⁴ | Transpower New Zealand Ltd | Definition – National Grid Corridor | <p>The definition be retained subject to amendment as follows:</p> <p>National Grid <u>Subdivision</u> Corridor</p> <p>Means</p> <p>And</p> | 3.6.10.2 | Accept | See body of the report | Yes |

¹³³ Opposed by Kāinga Ora [FS65.44]

¹³⁴ Opposed by Kāinga Ora [FS65.45]

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| | | | Any consequential amendments | | | | |
| 81.109 ¹³⁵ | Kāinga Ora – Homes and Communities | Definition – National Grid Corridor | Delete definition: means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows: a. 14m of a 110kV transmission line on single poles; b. 16m of a 110kV transmission line on pi poles; c. 32m of a 110kV transmission line on towers; d. 37m of a 220kV transmission line. 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 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. Note: the National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated Diagram 1: National Grid Yard and National Grid Corridor. | 3.6.10.2 | Reject | See body of the report | No |
| 81.110 ¹³⁶ | Kāinga Ora – Homes and Communities | Definition - National grid Pāuatahanui substation yard | Delete definition: means the area located within 30m of the boundary of the National Grid Pauatahanui Substation designation TPR-01. | 3.6.10.3 | Reject | See body of the report | No |
| 60.11 ¹³⁷ | Transpower New Zealand Ltd | Definition - National grid Pāuatahanui substation yard | Retain definition with a minor amendment to capitalise 'Grid'. | n/a | Accept | Agree with the submitter | Yes |
| 60.133 ¹³⁸ | Transpower New Zealand Ltd | Definition - National Grid yard | The definition be retained. | n/a | Accept | Agree with the submitter | No |
| 81.111 ¹³⁹ | Kāinga Ora – Homes and Communities | Definition - National Grid yard | Delete definition: a. the area located within 10m of either side of the centreline of an above ground 110kV electricity transmission line on single poles; b. the area located within 12m either side of the centreline of an above ground transmission line on pi poles or towers that is 110kV or greater; c. the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or tower foundation, associated with a line which is 110kV or greater. The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line and the outer 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. | 3.6.10.4 | Reject | See body of the report | No |

¹³⁵ Opposed by Transpower New Zealand Ltd [FS04.14]

¹³⁶ Opposed by Transpower New Zealand Ltd [FS04.15]

¹³⁷ Opposed by Kāinga Ora [FS65.46]

¹³⁸ Opposed by Kāinga Ora [FS65.47]

¹³⁹ Opposed by Transpower New Zealand Ltd [FS04.16]

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| | | | <p>Note: the National Grid Yard 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 Corridor.</p> | | | | |
| Sub-transmission lines | | | | | | | |
| 85.7 ¹⁴⁰ | Wellington Electricity Lines Limited | Transmission Line | Seek that provision is made to identify transmission lines that are not a component of the National Grid to provide for Wellington Electricity Lines Limited's regionally significant Sub Transmission lines. | 3.7 | Accept in part | See body of the report | No |
| 85.23 ¹⁴¹ | Wellington Electricity Lines Limited | Notes | Seeks a definition, or other mechanism such as an advice note, to the effect that electricity transmission function is commonly undertaken outside of the NESETA such as Sub Transmission line function. | 3.7 | Accept in part | See body of the report | Yes |
| Ecosystems and indigenous biodiversity | | | | | | | |
| 225.30 ¹⁴² | Royal Forest and Bird Protection Society | General | Amend so that the full suite of ECO provisions apply to the INF chapter. | 3.8 | Reject | See body of the report | No |
| 225.253 | Royal Forest and Bird Protection Society | General | Ensure consenting decision makers using the INF rules can consider effects on indigenous biodiversity and that any restriction of discretion does not prevent the consideration of ECO objectives, Strategic objectives, the NZCPS, NPS FM, or other higher order documents such as a future NPS for indigenous biodiversity. | 3.8 | Reject | See body of the report | No |
| 82.299 | Waka Kotahi NZ Transport Agency | General | Amendments to provide for continued operation and maintenance of the highway network in natural environment areas (in particular circumstances). | 3.8 | Accept in part | See body of the report | Yes |
| 138.6 | Ryan Family Trust | General | The rules must be modified to allow adequate tree trimming for owners within an SNA to comply with the mandatory regulatory requirements of the Health and Safety Act Part 2 "Maintenance of trees around Power Lines" and NZECP 34:2001 "Electrical Safe Distances" without recourse to consent processes. | 3.8 | Reject | See body of the report | No |
| 84.39 | Firstgas Limited | General | Seeks that trimming, pruning or removal of indigenous vegetation to within 6m of Gas Transmission pipeline is provided for to ensure the safety and access to the pipeline. | 3.8.6 | Reject | See body of the report | No |
| 225.113 ¹⁴³ | Royal Forest and Bird Protection Society | INF-P8 | <p>Delete or</p> <p>Alternatively amend as follows:</p> <p>Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved:</p> <p>1A. <u>SNAs are protected and indigenous biological diversity is maintained: and</u></p> <ol style="list-style-type: none"> 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised, taking into account: <ol style="list-style-type: none"> a. The bulk, height, size, colour, reflectivity of the infrastructure; | 3.8.4 | Reject | See body of the report | No |

¹⁴⁰ Supported by Transpower New Zealand Ltd [FS04.21]

¹⁴¹ Supported by Transpower New Zealand Ltd [FS04.39]

¹⁴² Opposed by Powerco Limited [FS37.8], Transpower New Zealand Ltd [FS04.31] and Kāinga Ora [FS65.87]

¹⁴³ Supported by Greater Wellington Regional Council [FS40.131]; opposed by WELL [FS28.16] and Powerco Limited [FS37.18], opposed in part by Kāinga Ora [FS65.118]

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| | | | <p>b. Any proposed associated earthworks;</p> <p>c. The time, duration or frequency of any adverse effects; and</p> <p>d. Any proposed mitigation measures;</p> <p>4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;</p> <p>5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;</p> <p>6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;</p> <p>7. Any adverse effects on any values and qualities of any adjacent Overlays are <u>avoided</u> minimised;</p> <p>8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and</p> <p>9. Any adverse cumulative effects are <u>avoided, remedied or mitigated</u> minimised.</p> | | | | |
| 225.122 ¹⁴⁴ | Royal Forest and Bird Protection Society | INF-P20 | <p>Delete or Amend as follows: Upgrades to and new <u>Regionally Significant</u> Infrastructure in Significant Natural Areas Except as provided for by INF-P6 and INF-P7, only <u>consider</u> allowing for upgrades to existing infrastructure and for <u>avoid</u> new <u>Regionally Significant</u> Infrastructure in areas identified in SCHED7 - Significant Natural Areas where <u>unless</u> it can be demonstrated that:</p> <p>1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and</p> <p>2. Any adverse effects on indigenous biodiversity values within areas identified in SCEHD7 - Significant Natural Areas are <u>avoided, remedied or mitigated consistent with the ECO chapter provisions addressed in accordance with ECO-P2 and the matters in ECO-P4, ECO-P11 and ECO-P12.</u></p> | 3.8.4.1 | Reject | See body of the report | No |
| 86.28 | KiwiRail Holdings Limited (KiwiRail) | INF-P20 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.42 | Powerco Limited | INF-P20 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.52 | Waka Kotahi NZ Transport Agency | INF-P20 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.266 | Kāinga Ora – Homes and Communities | INF-P20 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

¹⁴⁴ Opposed by WELL [FS28.18], Powerco Limited [FS37.22] and Kāinga Ora [FS65.130]

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| 51.29 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P20 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.43 ¹⁴⁵ | Transpower New Zealand Ltd | INF-P20 | Retain Policy INF-P20 if policies INF-P6 and INF-P7 are amended as sought. Amend Policy INF-P20 to give effect to the NPSET if a new policy is not provided. | 3.8.4.1 | Reject | See body of the report | No |
| 225.123 ¹⁴⁶ | Royal Forest and Bird Protection Society | INF-P21 | Amend as follows: Upgrades to and new <u>Regionally Significant</u> Infrastructure in Special Amenity Landscapes Except as provided for by INF-P6 and INF-P7, only <u>consider allowing</u> for upgrades to existing <u>Regionally Significant</u> Infrastructure and for new <u>Regionally Significant</u> Infrastructure within Special Amenity Landscapes where: 1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and <u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u> <u>1B. indigenous biological diversity is maintained; and</u> 2. There is an operational need or functional need that means the infrastructure's location cannot be avoided; 3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through: a. Grouping or dispersing structures; b. Undergrounding; and c. Locations that reduce visibility. 4. The design methods used minimise the adverse visual effects of the infrastructure, including: a. Landscaping and screening; b. Design, location, height, bulk and colour; c. Any light spill effects; d. Reflectivity effects; and 5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects. | 3.8.4 | Reject | See body of the report | No |
| 225.124 ¹⁴⁷ | Royal Forest and Bird Protection Society | INF-P22 | Amend as follows: Upgrades to and new <u>Regionally Significant</u> Infrastructure in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing <u>Regionally Significant</u> Infrastructure where, and avoid new <u>Regionally Significant</u> Infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that: | 3.8.4 | Reject | See body of the report | No |

¹⁴⁵ Opposed by Kāinga Ora [FS65.131]

¹⁴⁶ Opposed by Powerco Limited [FS37.23]

¹⁴⁷ Opposed by Powerco Limited [FS37.24]

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| | | | <p><u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u></p> <p><u>1B. indigenous biological diversity is maintained; and</u></p> <p>1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives;</p> <p>2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas;</p> <p>3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and</p> <p>4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3.</p> | | | | |
| 225.125 ¹⁴⁸ | Royal Forest and Bird Protection Society | INF-P23 | <p>Amend the policy as follows: Only allow for upgrades to existing and new <u>Regionally Significant Infrastructure</u> in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure:</p> <p>1. Does not increase the risk from the natural hazard to people, or other property or infrastructure;</p> <p>2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives;</p> <p>3. Is not vulnerable to the natural hazard;</p> <p>4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and</p> <p>5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event; and</p> <p><u>6. includes provision for indigenous biodiversity adaption and response including inland migration in response to sea level rise .</u></p> | 3.8.4 | Reject | See body of the report | No |
| 216.6 | Queen Elizabeth the Second National Trust (QEII) | Maintenance and repair | <p>Amend the definition of Maintenance and Repair as follows:</p> <p>“Maintenance and repair means any repair, work, or activity necessary to continue the operation and / or functioning of existing infrastructure, buildings, and structures. It does not include upgrading.</p> <p>Amend permitted rules for maintenance activities that may affects indigenous biodiversity, so that they only apply to lawfully established existing infrastructure, buildings and structures and are within appropriate limits to protect and maintain indigenous biodiversity.</p> <p>Provide for maintenance of other existing infrastructure, buildings, and structures (that may not be lawfully established) subject to consenting requirements in situations where there are potential adverse effects on indigenous biodiversity.</p> | 3.8.5.1 | Reject | See body of the report | No |
| 225.62 | Royal Forest and Bird | Maintenance and repair | Amend the definition as follows: | 3.8.5.1 | Reject | See body of the report | No |

¹⁴⁸ Opposed by WELL [FS28.19] and Powerco Limited [FS37.25]

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| | Protection Society | | <p>Maintenance and repair means any <u>repair</u>, work or activity necessary to continue the operation and / or functioning of existing infrastructure, <u>buildings and structures</u>. It does not include upgrading.</p> <p>Amend permitted rules for maintenance activities that may affects indigenous biodiversity, so that they only apply to lawfully established existing infrastructure, buildings and structures and are within appropriate limits to protect and maintain indigenous biodiversity.</p> <p>Provide for maintenance of other existing infrastructure, buildings and structures (that may not be lawfully established) subject to consenting requirements in situations where there are potential adverse effects on indigenous biodiversity.</p> | | | | |
| 225.128 ¹⁴⁹ | Royal Forest and Bird Protection Society | INF-R3 | <p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R3 1. to include:</p> <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. <p>Amend R3 2. to capture non compliance with 1.</p> <p>Add the following condition</p> <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity <p>Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case.</p> | 3.8.2 and 3.8.3 | Reject | See body of the report | No |
| 225.129 ¹⁵⁰ | Royal Forest and Bird Protection Society | INF-R4 | <p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R4 1. to include:</p> <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or a natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. <p>Amend R4 2. to capture non compliance with 1.</p> <p>Add the following condition</p> <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity <p>Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case.</p> | 3.8.2 and 3.8.3 | Reject | See body of the report | No |
| 225.130 ¹⁵¹ | Royal Forest and Bird Protection Society | INF-R5 | <p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R5-1 to include:</p> <ul style="list-style-type: none"> a condition that the activity is setback 15m from a natural wetland <p>Amend R5-2, R5-3 and R5-4 to capture non compliance with the 15m setback</p> <p>Add the following condition</p> | 3.8.2 and 3.8.3 | Reject | See body of the report | No |

¹⁴⁹ Opposed by Powerco Limited [FS37.28] and Kāinga Ora [FS65.421]

¹⁵⁰ Opposed by Powerco Limited [FS37.29] and Kāinga Ora [FS65.138]

¹⁵¹ Supported by Director-General of Conservation [FS39.4]; opposed Powerco Limited [FS37.30] and Kāinga Ora [FS65.139]

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|------------------------|--|-----------|--|--|--------------------------|----------------------------|--------------------------------|
| | | | <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity R5-2 Delete the note regarding non-notification R5-6 Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case, alternatively amend R5-7 to include the setback and change to non-complying. | | | | |
| 82.61 ¹⁵² | Waka Kotahi NZ Transport Agency | INF-R5 | Amend provision: a. "The works involve infrastructure located within a wetland within an area identified in SCHED7- Significant Natural Areas <u>except for maintenance and repair works associated with the ongoing safe and efficient operation of the transport network</u> ". AND Amend INF-R5.2 as follows: 2. Activity status: Restricted Discretionary Where: a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, or INF-S20. b. <u>The works involve infrastructure located within a wetland within an area identified in SCHED7- Significant Natural Area, that are required for the ongoing safety and efficiency of the of the transport network.</u> - Matters of discretion: 1. The matters of discretion of any infringed standard; and 2. <u>The operational and functional needs of the infrastructure.</u> | 3.8.2 | Reject | See body of the report | No |
| 225.131 ¹⁵³ | Royal Forest and Bird Protection Society | INF-R7 | Amend to add the following matter of discretion: effects on indigenous biological diversity | 3.8.3 | Reject | See body of the report | No |
| 225.132 ¹⁵⁴ | Royal Forest and Bird Protection Society | INF-R8 | Amend to add the following matter of discretion: effects on indigenous biological diversity | 3.8.3 | Reject | See body of the report | No |
| 225.133 ¹⁵⁵ | Royal Forest and Bird Protection Society | INF-R9 | Clarify that the rule permitted and restricted activity status does not apply to the upgrading, extension or creation of new tracks within a SCHED7 SNA overlay by: <ul style="list-style-type: none"> deleting R9.1 c. iii and R9.1 d. iii adding a condition to R9.1 that the activities are not within a SCHED7 SNA or by separating maintenance of existing lawfully constructed tracks from the upgrading, extension or creation of new tracks. Include a condition in R9.1 for a setback of 15m from wetlands and from SNAs. | 3.8.5 | Accept in part | See body of the report | Yes |

¹⁵² Opposed by Forest and Bird [FS52.10]

¹⁵³ Supported by Director-General of Conservation [FS39.5]; opposed by Powerco Limited [FS37.31]

¹⁵⁴ Supported by Director-General of Conservation [FS39.6]; opposed by Powerco Limited [FS37.32] and Kāinga Ora [FS65.141]

¹⁵⁵ Supported by Director-General of Conservation [FS39.7]; opposed by Kāinga Ora [FS65.142]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|--|-----------|---|--|--------------------------|----------------------------|--------------------------------|
| | | | Amend R9 so that where upgrading, extension or creation of new tracks do not meet the SNA setback the R9.7 discretionary status applies. Add the following matter of discretion to the restricted discretionary rules: <ul style="list-style-type: none"> effects on indigenous biological diversity Where the activities are within the wetland setback or within a wetland the activity is non-complying. Retain the Discretionary status in R9.7 for activities within an SCHED7 SNAs and ensure this rule also applies: <ul style="list-style-type: none"> to the upgrading, extension or creation of new tracks within the SNA setback; where the limits/standards for maintenance of existing tracks is not met. Also ensure that consideration of effects is not limited by deleting the note in the chapter introduction to that effect. | | | | |
| 216.48 ¹⁵⁶ | Queen Elizabeth the Second National Trust (QEII) | INF-R9 | Amend activity status for formation of tracks and walkways in SNA to Discretionary. Amend INF-R9.7 to better align with NES for freshwater. | 3.8.5 | Accept in part | See body of the report | Yes |
| 137.74 | Greater Wellington Regional Council | INF-R9 | Seeks a controlled activity status for new tracks. | 3.8.5 | Accept | See body of the report | Yes |
| 225.134 ¹⁵⁷ | Royal Forest and Bird Protection Society | INF-R27 | Amend R27.1 to include limits to vegetation removal to no more than minor adverse effect. Where that limit is not met amend so that R27.3 or R27.4 applies. R27.3 Add the following matter of discretion: effects on indigenous biological diversity | 3.8.5 | Reject | See body of the report | No |
| 225.135 ¹⁵⁸ | Royal Forest and Bird Protection Society | INF-R28 | Amend R28.1 to include limits to vegetation removal to no more than minor adverse effect. Where that limit is not met amend so that R28.2 or R28.3 applies. R28.2 Add the following matter of discretion: effects on indigenous biological diversity | 3.8.5 | Reject | See body of the report | No |
| 225.136 ¹⁵⁹ | Royal Forest and Bird Protection Society | INF-R29 | Amend R29.1 to include limits to vegetation removal to no more than minor adverse effect. Where that limit is not met amend so that R29.2 applies. R29.2 Add the following matter of discretion: effects on indigenous biological diversity | 3.8.5 | Reject | See body of the report | No |
| 225.137 ¹⁶⁰ | Royal Forest and Bird Protection Society | INF-R30 | Amend R30.1 by: Adding a limit to the scale of an upgrade; Adding a setback of 15m from wetlands; Adding the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Amend R30.2 to a non-complying activity status. Ensure that consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect. | 3.8.5 | Reject | See body of the report | No |

¹⁵⁶ Opposed by Kāinga Ora [FS65.143]

¹⁵⁷ Supported by Director-General of Conservation [FS39.8]; opposed by Kāinga Ora [FS65.146]

¹⁵⁸ Opposed by Kāinga Ora [FS65.147]

¹⁵⁹ Supported by Director-General of Conservation [FS39.10]; opposed by Kāinga Ora [FS65.148]

¹⁶⁰ Opposed by Waka Kotahi NZ Transport Agency [FS36.21] and Kāinga Ora [FS65.149]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|--|-----------|---|--|--------------------------|---|--------------------------------|
| 225.138 ¹⁶¹ | Royal Forest and Bird Protection Society | INF-R31 | Adding the following matter of discretion: effects on indigenous biological diversity | 3.8.5 | Reject | See body of the report | No |
| 225.139 ¹⁶² | Royal Forest and Bird Protection Society | INF-R39 | Amend R39.1 to a Discretionary activity status. Ensure that consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect. | 3.8.5.5 | Reject | See body of report | No |
| 83.62 ¹⁶³ | Powerco Limited | INF-R39 | Amend rule INF-R39 so that upgrades that have no or very little potential impact on Significant Natural Areas are permitted. | 3.8.5.5 | Reject | See body of report | No |
| 81.311 | Kāinga Ora – Homes and Communities | INF-R39 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 225.140 | Royal Forest and Bird Protection Society | INF-R40 | Adding the following matter of discretion: effects on indigenous biological diversity | 3.8.5 | Reject | See body of report | No |
| 81.315 | Kāinga Ora – Homes and Communities | INF-R43 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.59 | Transpower New Zealand Ltd | INF-R43 | Amend IN-R43 as follows: INF-R43 <u>New</u> Infrastructure, including any ancillary access tracks, excluding walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas All Zones: 1. Activity status: Discretionary Section 88 information requirements for applications: 1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: 2. Identifying the biodiversity values and potential impacts from the proposal; and 3. Demonstrating that the ECO-P2 hierarchy has been applied. And Any consequential amendments. | 3.8.5.6 | Accept | See body of report | Yes |
| 225.141 ¹⁶⁴ | Royal Forest and Bird Protection Society | INF-R43 | Amend the rule to: <ul style="list-style-type: none"> Clarify the scope of the rule to apply to all “new” RSI and other infrastructure within SCHED7 SNA overlay Change the activity status to non-complying. | 3.8.5.6 | Accept in part | See body of report | Yes |
| 225.142 | Royal Forest and Bird | INF-S17 | Amend the standard to add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity | 3.8.6.1 | Reject | See body of the report | No |

¹⁶¹ Opposed by Kāinga Ora [FS65.150]

¹⁶² Opposed by Powerco Limited [FS37.33]

¹⁶³ Supported by Greater Wellington Regional Council [FS40.102] and Firstgas Ltd [FS63.27]

¹⁶⁴ Opposed by Powerco Limited [FS37.34], opposed in part by Kāinga Ora [FS65.151]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|------------------------------------|-----------|--|--|--------------------------|---|--------------------------------|
| | Protection Society | | <ul style="list-style-type: none"> Reconsider the maximum disturbance areas to take into account adverse effects on indigenous biodiversity and consider 50m² in SCHED10 areas. | | | | |
| 60.63 ¹⁶⁵ | Transpower New Zealand Ltd | INF-S18 | <p>Amend the standard as follows: INF-S18 Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas</p> <p>..... This standard does not apply to:</p> <ul style="list-style-type: none"> Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001; <u>or</u> <u>Indigenous vegetation to be trimmed, pruned or removed associated with the operation, maintenance and upgrading of the National Grid or to remove a potential fire risk associated with the National Grid.</u> | 3.8.6 | Reject | See body of the report | No |
| 11.11 ¹⁶⁶ | Porirua City Council | INF-S18 | <p>Amend the standard as follows: INF-S18ED7 - Significant Natural Areas All zones</p> <p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <p>a. Within 2m of the footprint of the existing infrastructure and either side of an associated access track or fence; and</p> <p>b. No more than 20m² of indigenous vegetation within any 12 month period; or</p> <p>c. 2.5m in total width with no maximum area except that no tree is removed with a tree trunk greater than 15cm in diameter measured 1.4m above ground, and where the activities are associated with the structures required for development of new <u>construction, maintenance, or upgrade of existing</u> walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent. <u>This includes up to 0.5m of vegetation clearance to either side of the 2.5m track.</u></p> | n/a | Accept | Agree with submitter | Yes |
| 81.335 | Kāinga Ora – Homes and Communities | INF-S18 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.18 | Firstgas Limited | INF-S18 | <p>Amend standard as follows:</p> <p>1. Any trimming, pruning or removal of indigenous vegetation must be limited to:</p> <p>a. Within 2m of the footprint of the existing infrastructure and either side of an associated access track or fence <u>and,</u></p> <p><u>b. must be limited to within 6m from the centreline of the Gas Transmission Pipeline, with any areas replanted in indigenous vegetation where not required for safety reasons.</u></p> | 3.8.6 | Reject | See body of the report | No |
| 83.79 | Powerco Limited | INF-S18 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

¹⁶⁵ Opposed by Greater Wellington Regional Council [FS40.25]

¹⁶⁶ Supported in part by Director-General of Conservation [FS39.42], supported by Kāinga Ora [FS65.155]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|--|---------------------|--|--|--------------------------|---|--------------------------------|
| 82.79 | Waka Kotahi NZ Transport Agency | INF-S18 | Amend INF-S18.1.c by clarifying the intent of the point and amend accordingly. | 3.8.6 | Accept | See body of the report | Yes |
| 85.32 | Wellington Electricity Lines Limited | INF-S18 | Retain as drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.50 ¹⁶⁷ | Transpower New Zealand Ltd | INF-S18 and INF-S20 | <p>Retain INF-R5 subject to amendments to INF-S18 and INF-S20 as follows:</p> <p>INF-S18 Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas</p> <p>.....</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001; <u>or</u> <u>Indigenous vegetation to be trimmed, pruned or removed associated with the operation, maintenance and upgrading of the National Grid or to remove a potential fire risk associated with the National Grid.</u> <p>INF-S20 - Earthworks within an area identified in SCHED7 - Significant Natural Areas</p> <p>1. The earthworks do not result in the removal of more than 20m² of indigenous vegetation within any 12 month period.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> Earthworks required for the operation or maintenance of the formed width of existing access tracks or existing underground infrastructure where the earthworks are limited to within 2m either side of the existing infrastructure, or associated access track or fence; or Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the earthworks are limited to a total width of 2.5m; <u>or</u> <u>Earthworks required for the operation, maintenance or upgrade of the National Grid, including associated access tracks.</u> <p>And</p> <p>Any consequential amendments.</p> | 3.8.6 | Accept in part | See body of the report | Yes |
| 225.143 ¹⁶⁸ | Royal Forest and Bird Protection Society | INF-S18 | <p>Remove provision for vegetation removal associated with new infrastructure within the standard as this should be a consented activity within a SCHED7 SNA.</p> <p>Limit removal of vegetation for fences to 1.5m on a single side and 1m either side of tracks</p> | 3.8.6 | Reject | See body of the report | No |
| 225.144 | Royal Forest and Bird | INF-S20 | <p>Reword the exclusions so that they are set out as an applicable standard</p> <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity | 3.8.6 | Reject | See body of the report | No |

¹⁶⁷ Opposed by Greater Wellington Regional Council [FS40.24]

¹⁶⁸ Opposed by Kāinga Ora [FS65.156]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------------------|------------------------------------|---------------|---|--|--------------------------|--|--------------------------------|
| | Protection Society | | Delete "within any 12 month period" | | | | |
| 11.12 | Porirua City Council | INF-S20 | Amend standard as follows: Earthworks associated with the development of new and maintenance of existing construction, maintenance, or upgrade of walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the earthworks are limited to a total width of 2.5m. | n/a | Accept | Agree with the submitter | Yes |
| 60.64 ¹⁶⁹ | Transpower New Zealand Ltd | INF-S20 | Amend the standard as follows: INF-S20 - Earthworks within an area identified in SCHED7 - Significant Natural Areas 1. The earthworks do not result in the removal of more than 20m ² of indigenous vegetation within any 12 month period. This standard does not apply to: <ul style="list-style-type: none"> • Earthworks required for the operation or maintenance of the formed width of existing access tracks or existing underground infrastructure where the earthworks are limited to within 2m either side of the existing infrastructure, or associated access track or fence; or • Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the earthworks are limited to a total width of 2.5m; <u>or</u> • <u>Earthworks required for the operation, maintenance or upgrade of the National Grid, including associated access tracks.</u> | 3.8.6 | Reject | See body of the report | No |
| 81.337 | Kāinga Ora – Homes and Communities | INF-S20 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.81 | Waka Kotahi NZ Transport Agency | INF-S20 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.81 | Powerco Limited | INF-S20 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| Gas transmission pipeline | | | | | | | |
| 84.30 | Firstgas Limited | Planning Maps | Retain as proposed | Table B 1 | Accept | No changes are recommended to the gas pipeline and above ground stations on the planning maps. | No |

¹⁶⁹ Opposed by Greater Wellington Regional Council [FS40.26]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|-------------------------------|---------------|--|--|--------------------------|----------------------------|--------------------------------|
| 84.37 | Firstgas Limited | General | Gas Transmission Network is enabled to be safely, effectively and efficiently operated, maintained, replaced, upgraded, removed and developed (i.e. recognised and provided for) through an enabling activity status. | 3.9 | Accept in part | See body of the report | Yes |
| 42.3 ¹⁷⁰ | Bill McGavin | SUB-R16 | It should remain as it is. | 3.9 | Reject | See body of the report | No |
| 84.38 ¹⁷¹ | Firstgas Limited | New provision | Seeks that a new Restricted Discretionary Activity is included for the use of explosives within 100 metres of the Gas Transmission Network. | 3.9 | Reject | See body of the report | No |
| 84.6 | Firstgas Limited | New provision | <p>Addition of a new rule to the Hazardous Substances section, which reads as follows:</p> <p><u>Restricted Discretionary Activities</u> <u>The use of explosives within 100 metres of the Gas Transmission Network</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>i) <u>The risk of hazards affecting public or individual safety, and the risk of property damage;</u></p> <p>ii) <u>Measures proposed to avoid or mitigate potential adverse effects on the Gas Transmission Network;</u></p> <p>iii) <u>Technical advice from the owner and operator of the Gas Transmission Network, including an assessment of the level of risk;</u></p> <p>iv) <u>The outcome of any consultation with the owner and operator of the Gas Transmission Network; and</u></p> <p>v) <u>Whether the use of explosives could be located a greater distance from the Gas Transmission Network</u></p> | 3.9 | Reject | See body of the report | No |
| 25.1 ¹⁷² | Michael Wood | GRZ-R23 | The distance specified in GRZ-R23 should be the same as half the easement width unless the size of the gas pipeline is large enough to warrant a larger distance on safety grounds, in which case First Gas should widen its easement through the normal commercial processes. | 3.9 | Reject | See body of the report | No |
| 52.9 ¹⁷³ | Hamish Tunley | INF-O3 | Further review of the wording to be more specific. Reduce the proposed Gas Transmission Pipeline Corridor to be in line with the 12m Gas Easement / Designation. | 3.9 | Reject | See body of the report | No |
| 52.11 ¹⁷⁴ | Hamish Tunley | GRZ-R23 | Remain consistent with the objectives, remain consistent with First Gas Designation which has clearly outlined their evaluation of the risks and adverse effects in the Section 32 Designation report. The inclusion of the Gas Transmission Pipeline Corridor needs to remain consistent with the First Gas Designation of 12m (reduced from the proposed 20m) in width. | 3.9 | Reject | See body of the report | No |

¹⁷⁰ Opposed by Firstgas Ltd [FS63.31]

¹⁷¹ Opposed by Kāinga Ora [FS65.92]

¹⁷² Opposed by Firstgas Ltd [FS63.36]

¹⁷³ Opposed by Firstgas Ltd [FS63.11]

¹⁷⁴ Opposed by Firstgas Ltd [FS63.35]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | Removal of the Restricted Discretionary (GRZ-R23) conditions restricting our development of buildings or structures within 10m of the Corridor. GRZ-R23-1a/b needs clarification about what a habitable building or structure is in the definitions. [Refer to original submission for full decision requested] | | | | |
| 81.560 | Kāinga Ora – Homes and Communities | GRZ-R23 | Retain as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.838 | Kāinga Ora – Homes and Communities | FUZ-R14 | Amend: 1. Activity status: Permitted Where: a. The activity is not a sensitive activity. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with FUZ-R14-1.a. Matters of discretion are restricted to: 1. The matters in INF-P25. Notification: <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd. <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that First Gas Ltd may be notified in relation to reverse sensitivity effects.</u> | 3.9.4 | Reject | See body of the report | No |
| 81.839 | Kāinga Ora – Homes and Communities | FUZ-R15 Notification preclusion | Amend: 1. Activity status: Restricted discretionary Where: a. Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and b. Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network. Matters of discretion are restricted to: 1. The matters in INF-P25. Notification: <ul style="list-style-type: none"> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd. | 3.9.4 | Reject | See body of the report | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that First Gas Ltd may be notified in relation to reverse sensitivity effects.</u> | | | | |
| 84.26 | Firstgas Limited | RLZ-R14 | Retain as proposed. | n/a | Accept | Agree with submitter | No |
| 84.27 | Firstgas Limited | SETZ-R18 | Retain as proposed. | n/a | Accept | Agree with submitter | No |
| 84.29 | Firstgas Limited | FUZ-R14 | Retain as proposed. | n/a | Accept | Agree with submitter | No |
| 155.33 | Design Network Architecture Limited | GRZ-R23 | [Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): Supported | n/a | Accept | Agree with submitter | No |
| 52.7 ¹⁷⁵ | Hamish Tunley | INF-P5 | The distance of the Gas Transmission Pipeline Corridor Designation should be reduced from the proposed 20m in width to be consistent with the First Gas Designation of 12m in width. | 3.9 | Reject | See body of the report | No |
| 52.8 ¹⁷⁶ | Hamish Tunley | INF-P25 | The distance of the Gas Transmission Pipeline Corridor Designation should be reduced from the proposed 20m in width to be consistent with the First Gas Designation of 12m in width. The following criteria of INF-P25 lack specifics, the wording is not well defined. How is risk measured or understood, and how is it mitigated when making a resource consent submission? <ul style="list-style-type: none"> • Point 2: More detail is needed about what is considered a restriction. Would 1m of physical access be considered restricting access? Do they require 4m? • Point 3: Please clarify what or who's property damage, is this to First Gas or Landowner. • Point 3: Please clarify, health or public safety. Are you talking about the residents or first gas employees who are being protected? Is it First Gas assets or homeowners property damage? Point 5. Please be more specific, what the operator thinks or decides may go. | 3.9.2 | Reject | See body of the report | No |
| 34.1 ¹⁷⁷ | Catriona O'Meara-Hunt | INF-P25 | To NOT approve the extension of the current allocated provision of 6m either side of the Gas Transmission Pipeline Corridor to the proposed 10m either side. | 3.9.2 | Reject | See body of the report | No |
| 11.7 ¹⁷⁸ | Porirua City Council | INF-P25 | Amend the policy as follows: Consider the following matters when assessing any buildings, structures and activities proposed within, <u>and habitable buildings near</u> , the Gas Transmission Pipeline Corridor: | 3.9.2 | Accept | See body of the report | Yes |
| 81.271 ¹⁷⁹ | Kāinga Ora – Homes and Communities | INF-P25 | Delete: Consider the following matters when assessing any buildings, structures and activities proposed within the Gas Transmission Pipeline Corridor: <ol style="list-style-type: none"> 1. The extent to which the proposed development design and layout avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities; 2. The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network; 3. Risks relating to health or public safety, including the risk of property damage; | 3.9.2 | Reject | See body of the report | No |

¹⁷⁵ Opposed by Firstgas Ltd [FS63.17]

¹⁷⁶ Opposed by Firstgas Ltd [FS63.21]

¹⁷⁷ Opposed by Firstgas Ltd [FS63.22]

¹⁷⁸ Supported by Firstgas Ltd [FS63.23]; opposed by Kāinga Ora [FS65.135]

¹⁷⁹ Opposed by Firstgas Ltd [FS63.20]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>4. — The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network; and</p> <p>5. — Technical advice provided by the owner and operator of the Gas Transmission Network.</p> | | | | |
| 84.32 ¹⁸⁰ | Firstgas Limited | INF-P25 | Retain as proposed. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.41 ¹⁸¹ | Firstgas Limited | General | Enable new underground pipelines in excess of 2,000kpa as a permitted activity subject to meeting standards. | 3.9.2 | Reject | See body of the report | No |
| 84.36 ¹⁸² | Firstgas Limited | New Definition - Gas transmission sensitive activity | A new definition of a 'Gas Transmission Sensitive Activity' | 3.9.6 | Reject | See body of the report | No |
| 84.4 ¹⁸³ | Firstgas Limited | New Definition - Gas transmission sensitive activity | <p>Add a new definition for 'Gas Transmission Sensitive Activity' under the Definitions chapter, which reads:</p> <p><u>Means those activities that are particularly sensitive to the Gas Transmission Network, including but not limited to:</u></p> <ul style="list-style-type: none"> • <u>medium and high-density residential activities;</u> • <u>retirement villages;</u> • <u>hospitals and healthcare facilities;</u> • <u>educational facilities;</u> • <u>community facilities, including museums, stadiums and halls;</u> • <u>leisure and entertainment facilities, including shopping malls and movie theatres;</u> • <u>marae;</u> • <u>custodial corrections activities;</u> • <u>entertainment facilities;</u> • <u>visitor accommodation; and</u> <p><u>hazardous facilities and infrastructure (excluding those that are ancillary to gas transmission); and</u></p> | 3.9.6 | Reject | See body of the report | No |
| 130.1 ¹⁸⁴ | Geoffrey Jorgensen | Gas transmission pipeline corridor | Amend: Align the proposed corridor zone to be consistent with the six meter zone. | 3.9.6.3 | Reject | See body of the report | No |
| 84.3 | Firstgas Limited | Gas transmission pipeline corridor | Retain as proposed | n/a | Accept | Agree with submitter | No |
| 84.1 | Firstgas Limited | Gas transmission pipeline corridor | Retain as proposed | n/a | Accept | Agree with submitter | No |

¹⁸⁰ Opposed by Kāinga Ora [FS65.136]

¹⁸¹ Opposed by Kāinga Ora [FS65.88]

¹⁸² Opposed by Kāinga Ora [FS65.30]

¹⁸³ Opposed by Kāinga Ora [FS65.30]

¹⁸⁴ Opposed by Firstgas Ltd [FS63.5]

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| 81.71 ¹⁸⁵ | Kāinga Ora – Homes and Communities | Gas transmission pipeline corridor | Retain definition as notified | n/a | Accept | Agree with submitter | No |
| Public walking and cycling tracks | | | | | | | |
| 225.133 ¹⁸⁶ | Royal Forest and Bird Protection Society | INF-R9 | <p>Clarify that the rule permitted and restricted activity status does not apply to the upgrading, extension or creation of new tracks within a SCHED7 SNA overlay by:</p> <ul style="list-style-type: none"> deleting R9.1 c. iii and R9.1 d. iii adding a condition to R9.1 that the activities are not within a SCHED7 SNA or by separating maintenance of existing lawfully constructed tracks from the upgrading, extension or creation of new tracks. <p>Include a condition in R9.1 for a setback of 15m from wetlands and from SNAs. Amend R9 so that where upgrading, extension or creation of new tracks do not meet the SNA setback the R9.7 discretionary status applies. Add the following matter of discretion to the restricted discretionary rules:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity <p>Where the activities are within the wetland setback or within a wetland the activity is non-complying. Retain the Discretionary status in R9.7 for activities within an SCHED7 SNAs and ensure this rule also applies:</p> <ul style="list-style-type: none"> to the upgrading, extension or creation of new tracks within the SNA setback; where the limits/standards for maintenance of existing tracks is not met. <p>Also ensure that consideration of effects is not limited by deleting the note in the chapter introduction to that effect.</p> | 3.8.5 | Accept in part | See body of the report | Yes |
| 216.48 ¹⁸⁷ | Queen Elizabeth the Second National Trust (QEII) | INF-R9 | <p>Amend activity status for formation of tracks and walkways in SNA to Discretionary. Amend INF-R9.7 to better align with NES for freshwater.</p> | 3.10 | Accept in part | See body of the report | Yes |
| 137.74 | Greater Wellington Regional Council | INF-R9 | Seeks a controlled activity status for new tracks. | 3.10 | Reject | See body of the report | No |
| 11.42 ¹⁸⁸ | Porirua City Council | ECO-R1 | <p>Amend the rule as follows:</p> <p>i. Address an imminent threat to people or property represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with;</p> <p>ii. Ensure the safe and efficient operation of any formed public road, rail corridor or access, where removal is limited to within the formed width of the road, rail corridor or access;</p> <p>iii. Enable the maintenance of buildings where the removal of indigenous vegetation is limited to within 3m from the external wall or roof of a building;</p> | 3.10 | Accept | See body of the report | Yes |

¹⁸⁵ Supported by Firstgas Ltd [FS63.4]

¹⁸⁶ Supported by Director-General of Conservation [FS39.7]; opposed by Kāinga Ora [FS65.142]

¹⁸⁷ Opposed by Kāinga Ora [FS65.143]

¹⁸⁸ Opposed by Greater Wellington Regional Council [FS40.8]

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| | | | <p>iv. Maintain, upgrade or create new public walking or cycling tracks up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014) and where no tree with a trunk greater than 15cm in diameter (measured 1.4m above ground) is removed;</p> <p>v. Construct new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the area of trimming or removal of any vegetation does not exceed 2m in width;</p> <p>vi. Enable necessary flood protection or natural hazard control where undertaken by a Statutory Agency or their nominated contractors or agents on their behalf as part of natural hazard mitigation works;</p> <p>vii. Comply with section 43 of the Fire and Emergency Act 2017; or</p> <p>viii. Enable tangata whenua to exercise customary harvesting.</p> | | | | |
| 11.43 | Porirua City Council | ECO-R4 | <p>Amend the rule as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks:</p> <ol style="list-style-type: none"> 1. Do not involve the removal of any indigenous vegetation; or 2. Are for the maintenance of existing public walking or cycling access tracks, as carried out by Porirua City Council, Greater Wellington Regional Council or their nominated contractor or agent; and <p>2. The earthworks do not occur within any wetland.</p> <p><u>Note: the Earthworks Chapter provisions are applicable.</u></p> | 3.10 | Accept | See body of the report | Yes |
| 11.54 ¹⁸⁹ | Porirua City Council | CE-R1 | <p>Amend the rule as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The earthworks are for: <ol style="list-style-type: none"> 1. The maintenance of existing farm tracks, accessways or digging new fence post holes; or 2. The construction of new public walking or cycling access tracks; and <p>Compliance is achieved with CE-S1.</p> | 3.10 | Accept | See body of the report | Yes |

¹⁸⁹ Opposed by Greater Wellington Regional Council [FS40.15]

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| 11.55 ¹⁹⁰ | Porirua City Council | CE-R2 | <p>Amend the rule as follows:</p> <p>Indigenous vegetation removal within a Coastal High Natural Character Area</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The removal of indigenous vegetation is for the purpose of: <ol style="list-style-type: none"> 1. Addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation; 2. Ensuring the safe and efficient operation of any formed public road or access; 3. Enabling the maintenance of buildings where the removal of vegetation is limited to within 3m from the external wall or roof of a building; 4. Maintenance or construction of a new public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014); 5. Constructing new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the removal does not exceed 2m in width; or 6. Enable tangata whenua to exercise customary harvesting. <p>Note: the ECO provisions apply where removal of indigenous vegetation is proposed and the area is an identified Significant Natural Area.</p> | 3.10 | Accept | See body of the report | Yes |
| 11.56 | Porirua City Council | CE-S1 | <p>Amend the rule as follows:</p> <p>Where associated with the maintenance of, or new, public walking or cycling tracks must be no greater than 2.5m wide and cuts or fill less than 1.5m above ground level or 1.8m on switchbacks and undertaken by Porirua City Council or an approved contractor acting on their behalf and in accordance Porirua City Council Track Standards Manual (Version 1.2, 2014).</p> | 3.10 | Accept | See body of the report | Yes |
| Zone Chapter Provisions | | | | | | | |
| 51.65 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | SPZ-S1 | <p>Amend the standard as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. | 3.11.1 | Reject | See body of the report | No |

¹⁹⁰ Supported by Greater Wellington Regional Council [FS40.16]

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| | | | <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | | | | |
| 51.66 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | SETZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.67 ¹⁹¹ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | GRZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. The location, design and appearance of the building or structure; 2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjacent residential sites; 4. Compatibility with the anticipated scale, proportion and context of buildings and activities in the surrounding area; 5. Retention of established landscaping; 6. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 7. Whether topographical or other site constraints make compliance with the standard impractical. <u>8. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.68 ¹⁹² | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | MRZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. The location, design and appearance of the building or structure; 2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjacent residential sites; 4. Compatibility with the anticipated scale, proportion and context of buildings and activities in the surrounding area; 5. Retention of established landscaping; 6. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 7. Whether topographical or other site constraints make compliance with the standard impractical. <u>8. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.70 ¹⁹³ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, | GIZ-S1 | Amend the standard as follows; Matters of discretion are restricted to: 1. The location, design and appearance of the building or structure; 2. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; 3. Bulk and dominance of the building or structure; | 3.11.1 | Reject | See body of the report | No |

¹⁹¹ Opposed by Kāinga Ora [FS65.309]¹⁹² Opposed by Kāinga Ora [FS65.332]¹⁹³ Opposed by Kāinga Ora [FS65.404]

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| | Vodafone New Zealand Limited | | 4. Compatibility with the anticipated scale, proportion and context of buildings and activities in the surrounding area; 5. Whether an increase in building height results from a response to natural hazard mitigation; and 6. Whether topographical or other site constraints make compliance with the standard impractical. <u>7. Any reverse sensitivity effects on regionally significant infrastructure</u> | | | | |
| 51.71 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | SARZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.72 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | GRUZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.73 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | RLZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.74 ¹⁹⁴ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | OSZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and | 3.11.1 | Reject | See body of the report | No |

¹⁹⁴ Supported by Radio New Zealand Limited [FS60.63]

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| | | | 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | | | | |
| 51.75 ¹⁹⁵ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | NCZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. The location, design and appearance of the building or structure; 2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; 4. Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; and 5. Whether an increase in building height results from a response to natural hazard mitigation. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.76 ¹⁹⁶ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | LCZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. The location, design and appearance of the building or structure; 2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; 4. Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; 5. Whether an increase in building height results from a response to natural hazard mitigation; and 6. Consistency with the Local Centre Zone Design Guide. <u>7. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.77 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | FUZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any shading of, or loss of privacy for, residential units on adjacent sites; 3. Screening, planting, and landscaping of the building or structure; 4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and 5. Whether topographical or other site constraints make compliance with the standard impractical. <u>6. Any reverse sensitivity effects on regionally significant infrastructure</u> | 3.11.1 | Reject | See body of the report | No |
| 51.78 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | HOSZ-S1 | Amend the standard as follows: Matters of discretion are restricted to: 1. Design and siting of the building or structure; 2. Any adverse effects on the streetscape; 3. Any adverse effects on the amenity of adjoining residential sites including shading effects; 4. Compatibility with the anticipated scale, proportion and context of buildings and activities on surrounding sites; and | 3.11.1 | Reject | See body of the report | No |

¹⁹⁵ Opposed by Kāinga Ora [FS65.363]¹⁹⁶ Opposed by Kāinga Ora [FS65.374]

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| | | | 5. The extent to which the infringement is necessary due to the shape or natural and physical features of the site. 6. <u>Any reverse sensitivity effects on regionally significant infrastructure</u> | | | | |
| 82.218 ¹⁹⁷ | Waka Kotahi NZ Transport Agency | Objectives New Provision | Adopt new provision: <u>Objective - Reverse Sensitivity:</u> <u>The function and operation of existing and permitted noise generating activities are not compromised by adverse effects, including reverse sensitivity effects, from noise-sensitive activities.</u> | 3.11.2 | Reject | See body of the report | No |
| 82.219 ¹⁹⁸ | Waka Kotahi NZ Transport Agency | Policies New Provision | Adopt new provision: <u>Policy - Reverse Sensitivity from State Highways and Rail Network:</u> <u>Enable noise-sensitive activities and places of worship locating adjacent to existing State Highways and the Rail Network that are designed, constructed and maintained to achieve indoor design noise levels in accordance with the applicable standards in the Noise Chapter.</u> | 3.11.2 | Reject | See body of the report | No |
| 82.220 ¹⁹⁹ | Waka Kotahi NZ Transport Agency | GRZ-P3 | Amend provision: <u>"6. The safe, effective and efficient operation of the transport network is not compromised."</u> | 3.11.3 | Reject | See body of the report | No |
| 82.222 | Waka Kotahi NZ Transport Agency | GRZ-P5 | Amend provision: <u>"3. Does not compromise the safe, effective and efficient operation of the transport network."</u> | 3.11.3 | Reject | See body of the report | No |
| 82.223 | Waka Kotahi NZ Transport Agency | GRZ-P6 | Amend provision: Recognise the benefits of, and provide for, retirement villages where: <u>5. These do not compromise the safe and efficient operation of the transport network.</u> | 3.11.3 | Reject | See body of the report | No |
| 82.224 ²⁰⁰ | Waka Kotahi NZ Transport Agency | GRZ-P8 | Amend provision: <u>6. Appropriate acoustic treatment to ensure that the health and wellbeing of occupants are not compromised by noise generating activities.</u> | 3.11.2 | Reject | See body of the report | No |
| 82.225 ²⁰¹ | Waka Kotahi NZ Transport Agency | GRZ-R6 | Amend provision: 1. Activity status: Permitted Where: a. No more than two residential units occupy the site; <u>and</u> b. <u>The site does not have direct access to a state highway.</u> Note: Where more than two residential units will occupy a site, <u>or the site has direct access to a state highway</u> , see multi-unit housing under GRZ-R18. | 3.11.3 | Reject | See body of the report | No |
| 82.226 | Waka Kotahi NZ Transport Agency | GRZ-R7 | Amend provision: 1. Activity status: Permitted Where: a. No more than one minor residential unit occupies the site; <u>and</u> b. The minor residential unit does not exceed a gross floor area of 50m ² ; <u>and</u> c. <u>Where the site does not have direct access to a state highway.</u> | 3.11.3 | Reject | See body of the report | No |

¹⁹⁷ Opposed by Kāinga Ora [FS65.292]

¹⁹⁸ Opposed by Kāinga Ora [FS65.296]

¹⁹⁹ Supported in part by Kāinga Ora [FS65.298]

²⁰⁰ Opposed by Kāinga Ora [FS65.300]

²⁰¹ Opposed by Kāinga Ora [FS65.303]

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| | | | 2. Activity status: Discretionary Where: Compliance is not achieved with GRZ-R7-1.a, or GRZ-R7-1.b or GRZ-R7-1.c | | | | |
| 82.228 | Waka Kotahi NZ Transport Agency | GRZ-R11 | Amend provision: 1. Activity status: Permitted Where: a. The sport and recreation facility is or will be vested in Porirua City Council as a reserve under the Reserves Act 1977; and b. <u>The sport and recreation facility does not front or gain direct access from a state highway</u> 2. Activity status: Discretionary Where: Compliance is not achieved with GRZ-R11-1.a or GRZ-R11-1.b. | 3.11.3 | Reject | See body of the report | No |
| 82.229 | Waka Kotahi NZ Transport Agency | GRZ-R16 | Amend provision: 1. Activity status: Permitted Where: a. The use of the residential building and land as a show home ceases within 24 months from the time of first use as a show home; b. The hours of operation are between: i. 7.00am and 9.00pm Monday to Friday; and ii. 8.00am and 7.00pm Saturday, Sunday and public holidays; and c. <u>The site does not front or gain access direct to a state highway.</u> 2. Activity status: Discretionary Where: Compliance is not achieved with GRZ-R16-1.a, or GRZ-R16-1.b or GRZ-R16.1.c. | 3.11.3 | Reject | See body of the report | No |
| 82.230 ²⁰² | Waka Kotahi NZ Transport Agency | GRZ-R18 | Adopt Waka Kotahi submission on GRZ-P5. [Refer to original submission for full decision requested, including attachments] | 3.11.3 | Reject | See body of the report | No |
| 82.235 | Waka Kotahi NZ Transport Agency | MRZ-P3 | Amend provision: <u>"6. The safe, effective and efficient operation of the transport network is not compromised."</u> | 3.11.3 | Reject | See body of the report | No |
| 82.236 ²⁰³ | Waka Kotahi NZ Transport Agency | MRZ-P5 | Amend provision: <u>"3. Does not compromise the safe, effective and efficient operation of the transport network."</u> | 3.11.3 | Reject | See body of the report | No |
| 82.237 | Waka Kotahi NZ Transport Agency | MRZ-P6 | Amend provision: Recognise the benefits of, and provide for, retirement villages where: [...] 6. <u>the safe and efficient operation of the transport network is not compromised.</u> | 3.11.3 | Reject | See body of the report | No |
| 82.239 ²⁰⁴ | Waka Kotahi NZ Transport Agency | MRZ-P8 | Adopt provision: <u>"3. The health, safety and wellbeing of the residents are not compromised by noise generating activities."</u> | 3.11.2 | Reject | See body of the report | No |

²⁰² Opposed by Kāinga Ora [FS65.308]²⁰³ Opposed by Kāinga Ora [FS65.320]²⁰⁴ Opposed by Kāinga Ora [FS65.321]

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| 82.242 ²⁰⁵ | Waka Kotahi NZ Transport Agency | MRZ-R5 | Amend provision: 1. Activity status: Permitted Where: a. No more than two residential units occupy the site; <u>and</u> b. <u>The site does not have direct access to a state highway.</u> Note: Where more than two residential units will occupy a site, <u>or the site has direct access to a state highway</u> , see MRZ-R15. | 3.11.3 | Reject | See body of the report | No |
| 82.243 ²⁰⁶ | Waka Kotahi NZ Transport Agency | MRZ-R6 | Amend provision: 1. Activity status: Permitted Where: a. No more than one minor residential unit occupies the site; and b. The minor residential unit does not exceed a gross floor area of 50m ² ; <u>and</u> c. <u>where the site does not have direct access to a state highway.</u> 2. Activity status: Discretionary Where: a. Compliance is not achieved with MRZ-R6-1.a, or MRZ-R6-1.b <u>or MRZ-R6-1.c</u> | 3.11.3 | Reject | See body of the report | No |
| 82.244 | Waka Kotahi NZ Transport Agency | MRZ-R7 | Amend: 1. Activity status: Permitted Where: a. The maximum occupancy <u>per residential unit</u> does not exceed six <u>ten</u> residents including staff. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with MRZ-R8-1.a. Matters of discretion are restricted to: 1. The matters in MRZ-P3 and 2. The matters in MRZ-P11. Notification: An application under this rule is precluded from being publicly <u>or limited</u> notified in accordance with sections <u>95A and 95B</u> of the RMA. | 3.11.3 | Reject | See body of the report | No |
| 82.246 ²⁰⁷ | Waka Kotahi NZ Transport Agency | MRZ-R15 | Adopt submission on MRZ-P5. [Refer to original submission for full decision requested, including attachments] | 3.11.3 | Reject | See body of the report | No |
| 82.247 ²⁰⁸ | Waka Kotahi NZ Transport Agency | MRZ-S10 | Amend provision: <u>2. All fences and standalone walls must not compromise visibility splays and minimum sight distances per INF-Figure 5 & INF-Table 6</u> Matters of discretion are restricted to: <u>5. The safe and efficient operation of the transport network.</u> | 3.11.3 | Reject | See body of the report | No |

²⁰⁵ Opposed by Kāinga Ora [FS65.325]²⁰⁶ Opposed by Kāinga Ora [FS65.326]²⁰⁷ Opposed by Kāinga Ora [FS65.330]²⁰⁸ Opposed by Kāinga Ora [FS65.336]

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| 82.251 | Waka Kotahi NZ Transport Agency | GRUZ-P4 | Amend provision: Provide for intensive indoor primary production and rural industry where it can be demonstrated that: <u>6. Adverse effects on the safe, effective and efficient operation of the transport network are mitigated.</u> | 3.11.3 | Reject | See body of the report | No |
| 82.252 | Waka Kotahi NZ Transport Agency | GRUZ-P5 | Amend provision: Provide for new quarrying activities or mining activity in the General Rural Zone where it can be demonstrated that: <u>7. Adverse effects on the safe, effective and efficient operation of the transport network are mitigated.</u> | 3.11.3 | Reject | See body of the report | No |
| 82.266 | Waka Kotahi NZ Transport Agency | RLZ-P4 | Amend provision: <u>"7. The safe, effective and efficient operation of the transport network is not compromised."</u> | 3.11.3 | Reject | See body of the report | No |
| 82.278 ²⁰⁹ | Waka Kotahi NZ Transport Agency | LCZ-O3 | Amend provision: <u>"3. Does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.279 ²¹⁰ | Waka Kotahi NZ Transport Agency | LCZ-P1 | Amend provision: <u>"3. Does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.280 ²¹¹ | Waka Kotahi NZ Transport Agency | LCZ-P3 | Amend provision: <u>"7. The activity does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.282 ²¹² | Waka Kotahi NZ Transport Agency | MUZ-O3 | Amend provision: <u>"3. Does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.283 ²¹³ | Waka Kotahi NZ Transport Agency | MUZ-P1 | Amend provision: <u>"3. Does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.284 ²¹⁴ | Waka Kotahi NZ Transport Agency | MUZ-P3 | Amend provision: <u>"7. The activity does not compromise the safety or efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.285 ²¹⁵ | Waka Kotahi NZ Transport Agency | MUZ-P4 | Amend provision: Avoid activities that are incompatible with the anticipated purpose, character and amenity values of the Mixed Use Zone; <u>or compromise the safety or efficiency of the transport network.</u> | 3.11.3 | Reject | See body of the report | No |

²⁰⁹ Opposed by Kāinga Ora [FS65.366]

²¹⁰ Opposed by Kāinga Ora [FS65.367]

²¹¹ Opposed by Kāinga Ora [FS65.368]

²¹² Opposed by Kāinga Ora [FS65.385]

²¹³ Opposed by Kāinga Ora [FS65.386]

²¹⁴ Opposed by Kāinga Ora [FS65.387]

²¹⁵ Opposed by Kāinga Ora [FS65.388]

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| 82.286 | Waka Kotahi NZ Transport Agency | OSZ-P4 | Amend provision: <u>"8. Not compromising the safety and efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 82.287 | Waka Kotahi NZ Transport Agency | SARZ-P4 | Amend provision: <u>"8. Not compromising the safety and efficiency of the transport network"</u> | 3.11.3 | Reject | See body of the report | No |
| 86.70 ²¹⁶ | KiwiRail Holdings Limited | General | Amend each Standard [in relation to a setback from road boundary] to include rail, with the General Residential Zone standard shown below as an example: GRZ-S4 Setback from boundary with a road <u>or rail corridor</u> 1. Buildings and structures must not be located within a 4m setback from a boundary with a road <u>or rail corridor</u> except: a. On a site with two or more boundaries to a road, the building or structure must not be located within a 2m setback from the boundary with one road; and b. Where any garage and/or carport with a vehicle door or vehicle opening facing the road, it must not be located within a 5m setback from the boundary with the road. This standard does not apply to: 1. Fences and standalone walls — see GRZ-R4; 2. Buildings and structures that are no more than 2m ² in floor area and 2m in height above ground level; or 3. Eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm. Matters of discretion are restricted to: 1. The streetscape and amenity of the area; 2. The design and siting of the building or structure; 3. Screening, planting and landscaping of the building or structure; 4. Pedestrian and cyclist safety (see TR-P3); and 5. Whether topographical or other site constraints that make compliance with the standard impractical; <u>and</u> 6. <u>The safe and efficient operation of the rail network.</u> | 3.11.4 | Accept in part | See body of the report | Yes |
| Introduction | | | | | | | |
| 60.28, 60.125, 60.126, 60.127, 60.128, 60.129, 60.130 | Transpower New Zealand Ltd | Introduction | Retain the introduction to the INF Chapter. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.13 ²¹⁷ | Wellington Electricity Lines Limited | Introduction | Amend the wording as below: | Table B 1 | Accept | Agree with submitter for the reasons stated | Yes |

²¹⁶ Opposed in part by Kāinga Ora [FS65.1]

²¹⁷ Supported by Powerco Limited [FS37.6]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | While infrastructure is often seen as a necessary and normal part of urban and rural environments, it can also have adverse effects on surrounding land uses and the environment, ... | | | | |
| 81.241 | Kāinga Ora – Homes and Communities | Introduction | Amend: Infrastructure includes facilities for the generation of electricity. This would include renewable electricity generation facilities, where these facilities supply power to other people (i.e. community or large-scale activities). However, these activities are addressed separately under the Renewable Electricity Generation chapter. <u>Similarly, provisions relevant to the Transport Network, site access, and onsite transport facilities are addressed within the Transport Chapter.</u> | 3.14 | Accept in part | See body of the report | Yes |
| 83.23 | Powerco Limited | Introduction | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.36 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Introduction | Amend as follows: Note: Except as specifically identified in an objective, policy or rule, the objectives, policies and rules in this chapter and the Strategic Direction objectives, and those contained in the following chapters where relevant, are the only objectives, policies and rules that apply to infrastructure activities and no objectives, policies and rules in other chapters apply: 1. Contaminated land; 2. Hazardous substances; 3. Renewable Electricity Generation. 4. <u>Noise</u> | Table B 1 | Accept | Agree with submitter for the reasons stated | Yes |
| 11.4 | Porirua City Council | Introduction | Amend the introduction as follows: "Meteorological devices are similar to infrastructure and are also managed in this chapter. <u>This chapter also contains provisions relating to roads. All roads are zoned with the same zoning as the adjacent site generally applying up to the centreline of the road. In some cases, there are contextual reasons for a different approach. Refer to the Plan maps to determine the correct zone applying to a road.</u> Note: Except..." | Table B 1 | Accept | Agree with submitter for the reasons stated | Yes |
| 225.137 ²¹⁸ | Royal Forest and Bird Protection Society | INF-R30 | Amend R30.1 by: Adding a limit to the scale of an upgrade; Adding a setback of 15m from wetlands; Adding the following matter of discretion: • effects on indigenous biological diversity Amend R30.2 to a non-complying activity status. Ensure that consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect. | 3.14 | Reject | See body of the report | No |
| Objectives | | | | | | | |
| 60.29 | Transpower New Zealand Ltd | INF-O1 | Retain INF-O1. If INF-O1 is amended: Provide a similar objective specific to the National Grid. | Table B 1 | Accept | No amendments are recommended to this objective. | No |

²¹⁸ Opposed by Waka Kotahi NZ Transport Agency [FS36.21] and Kāinga Ora [FS65.149]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 51.34 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-O1 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 86.14 | KiwiRail Holdings Limited (KiwiRail) | INF-O1 | Retain as proposed. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 83.24 | Powerco Limited | INF-O1 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 84.7 | Firstgas Limited | INF-O1 | Retain as proposed | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 82.36 | Waka Kotahi NZ Transport Agency | INF-O1 | Retained as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 81.242 | Kāinga Ora – Homes and Communities | INF-O1 | Retain objective as notified | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 225.103 ²¹⁹ | Royal Forest and Bird Protection Society | INF-O1 | Amend as follows: The national, regional and local benefits of Regionally Significant Infrastructure are recognised and provided for <u>in appropriate locations</u> . | 3.15.1 | Reject | See body of the report | No |
| 262.13 | Fulton Hogan | INF-O1 | Retain as proposed. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 121.15 | Radio New Zealand Limited | INF-O1 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 86.16 ²²⁰ | KiwiRail Holdings Limited (KiwiRail) | INF-O2 | Retain as proposed. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 84.8 | Firstgas Limited | INF-O2 | Retain as proposed | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 83.25 ²²¹ | Powerco Limited | INF-O2 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |

²¹⁹ Opposed by Transpower New Zealand Ltd [FS04.32], Powerco Limited [FS37.12] and Kāinga Ora [FS65.90]

²²⁰ Opposed in part by Kāinga Ora [FS65.91]

²²¹ Opposed by Kāinga Ora [FS65.92]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|--------------------------------------|-----------|--|--|--------------------------|---|--------------------------------|
| 82.37 ²²² | Waka Kotahi NZ Transport Agency | INF-O2 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 60.30 ²²³ | Transpower New Zealand Ltd | INF-O2 | Retain INF-O2. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 121.16 ²²⁴ | Radio New Zealand Limited | INF-O2 | Retain as notified. | Table B 1 | Accept | No amendments are recommended to this objective. | No |
| 81.243 ²²⁵ | Kāinga Ora – Homes and Communities | INF-O2 | Amend: The function and operation of Regionally Significant Infrastructure is protected <u>not compromised</u> from the adverse effects, including reverse sensitivity effects , of subdivision, use and development. | 3.15.2 | Reject | See body of the report | No |
| 60.32 | Transpower New Zealand Ltd | INF-O3 | Retain INF-O3 and correct a grammatical error in that 'as' should be replaced with 'and'. | Table B 1 | Reject | There is no word 'as' in the objective. | No |
| 52.9 ²²⁶ | Hamish Tunley | INF-O3 | Further review of the wording to be more specific. Reduce the proposed Gas Transmission Pipeline Corridor to be in line with the 12m Gas Easement / Designation. | 3.15.3 | Reject | See body of the report | No |
| 85.14 ²²⁷ | Wellington Electricity Lines Limited | INF-O3 | Amend objective as below: Safe, efficient, and resilient infrastructure is available <u>in advance</u> to meet the needs of, and is well integrated with, existing and planned subdivision, use and development. | 3.15.3 | Reject | See body of the report | No |
| 82.38 | Waka Kotahi NZ Transport Agency | INF-O3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.26 | Powerco Limited | INF-O3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.9 | Firstgas Limited | INF-O3 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 119.19 | Fire and Emergency New Zealand | INF-O3 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²²² Opposed by Kāinga Ora [FS65.92]

²²³ Opposed by Kāinga Ora [FS65.92]

²²⁴ Opposed by Kāinga Ora [FS65.92]

²²⁵ Supported by Kenepuru Limited Partnership [FS20.15]; opposed by Spark New Zealand Trading Limited [FS42.1] and Radio New Zealand Ltd [FS60.47]

²²⁶ Opposed by Firstgas Ltd [FS63.11]

²²⁷ Opposed in part by Kāinga Ora [FS65.93]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|---|-----------|--|--|--------------------------|---|--------------------------------|
| 225.104 ²²⁸ | Royal Forest and Bird Protection Society | INF-O3 | Amend as follows: Availability of <u>Regionally Significant</u> Infrastructure to meet existing and planned needs Safe, efficient, and resilient <u>Regionally Significant</u> Infrastructure is available to meet the needs of, and is well integrated with, existing and planned <u>new</u> subdivision, use and development. | 3.15.3 | Accept in part | See body of the report | Yes |
| 51.37 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-O3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.244 | Kāinga Ora – Homes and Communities | INF-O3 | Amend: Safe, efficient, and resilient infrastructure is available to meet the needs of, and is well integrated with, existing and planned subdivision, use and development. Infrastructure is provided in a manner that is safe, efficient, resilient, integrated, accessible and available to provide sufficient capacity for existing and planned subdivision, use and development. | 3.15.3 | Accept in part | See body of the report | Yes |
| 225.106 ²²⁹ | Royal Forest and Bird Protection Society | INF-O5 | Amend as follows: <u>Regionally Significant</u> Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of <u>Regionally Significant</u> Infrastructure are avoided, remedied or mitigated, including effects on: 1. The anticipated character and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards. | 3.15.4 | Accept in part | See body of the report | Yes |
| 262.14 | Fulton Hogan | INF-O5 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 121.17 | Radio New Zealand Limited | INF-O5 | Not specified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.27 ²³⁰ | Powerco Limited | INF-O5 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²²⁸ Opposed by Powerco Limited [FS37.13], opposed in part by Kāinga Ora [FS65.94]

²²⁹ Opposed by Powerco Limited [FS37.14] and Kāinga Ora [FS65.98]

²³⁰ Supported by Firstgas Ltd [FS63.12]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.40 ²³¹ | Waka Kotahi NZ Transport Agency | INF-O5 | Amend provision: Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated., including effects on: 1. The anticipated character and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards. | 3.15.4 | Reject | See body of the report | No |
| 86.18 | KiwiRail Holdings Limited (KiwiRail) | INF-O5 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.33 ²³² | Transpower New Zealand Ltd | INF-O5 | Retain INF-O5 | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 77.8 | Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pauatahanui Inlet | INF-O5 | Amend: Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated, including effects on: 1. The anticipated character and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards; <u>and</u> 4. <u>The environment (as defined in the plan), including the harbour and its contributing catchments.</u> | 3.15.4 | Accept in part | See body of the report | Yes |
| 51.35 ²³³ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-O5 | Amend objective as follows: INF-O5 Providing for infrastructure Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated, <u>while recognising the functional need and operational need of infrastructure.</u> including effects on: 1. The anticipated character and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards | 3.15.4 | Reject | See body of the report | No |
| 81.246 | Kāinga Ora – Homes and Communities | INF-O5 | Amend: Infrastructure provides benefits to people and communities and is established, operated, maintained and repaired, and upgraded efficiently, securely and sustainably, while the adverse effects of infrastructure are avoided, remedied or mitigated, including effects on: 1. The anticipated character, <u>planned built form</u> , and amenity values of the relevant zone; 2. The identified values and qualities of any Overlay; and | 3.15.4 | Accept in part | See body of the report | Yes |

²³¹ Opposed by Heritage New Zealand Pouhere Taonga [FS14.15]

²³² Supported by Firstgas Ltd [FS63.13]

²³³ Supported by Radio New Zealand Ltd [FS60.48]; opposed by Heritage New Zealand Pouhere Taonga [FS14.16]

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|------------------------|---|-----------|---|--|--------------------------|---|--------------------------------|
| | | | 3. The change in risk to people's lives and damage to adjacent property and other infrastructure from natural hazards. | | | | |
| Policies | | | | | | | |
| 81.247 | Kāinga Ora – Homes and Communities | INF-P1 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.41 | Waka Kotahi NZ Transport Agency | INF-P1 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.10 | Firstgas Limited | INF-P1 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.28 | Powerco Limited | INF-P1 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.15 | KiwiRail Holdings Limited (KiwiRail) | INF-P1 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.15 | Wellington Electricity Lines Limited | INF-P1 | Retain as currently drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.31 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P1 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 262.15 | Fulton Hogan | INF-P1 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.107 ²³⁴ | Royal Forest and Bird Protection Society | INF-P1 | Amend the policy as follows: Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including: 1. The safe, secure and efficient transmission and distribution of gas and electricity that gives people access to energy to meet their needs; | 3.16.1 | Accept in part | See body of the report | Yes |

²³⁴ Opposed by WELL [FS28.12], Greater Wellington Regional Council [FS40.130], Fire and Emergency New Zealand [FS54.1] and Kāinga Ora [FS65.101]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>2. An integrated, efficient and safe transport network, including the rail network and the state highways, that allows for the movement of people and goods;</p> <p>3. Effective, reliable and future-proofed communications networks and services, that gives people access to telecommunication and Radio communication services; and</p> <p>4. Safe and efficient <u>drinking</u> water, wastewater and stormwater treatment systems, networks and services, which maintains public health and safety.</p> | | | | |
| 60.34 ²³⁵ | Transpower New Zealand Ltd | INF-P1 | <p>Retain INF-P1 and include a new National Grid policy as follows:</p> <p><u>INF-Px The benefits of the National Grid</u> <u>Recognise and provide for the social, economic, environmental and cultural benefits of the National Grid, including sustainable, secure and efficient electricity transmission.</u></p> <p>Or</p> <p>Should the new policy not be provided, amend INF-P1 to give effect to the above relief sought.</p> <p>And</p> <p>Any consequential amendments</p> | 3.16.1 | Reject | See body of the report | No |
| 121.18 | Radio New Zealand Limited | INF-P1 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 119.20 | Fire and Emergency New Zealand | INF-P1 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 137.23 | Greater Wellington Regional Council | INF-P1 | Retain. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.248 | Kāinga Ora – Homes and Communities | INF-P2 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.16 | Wellington Electricity Lines Limited | INF-P2 | <p>Seek that Policy INF-P2 is retained except to the extent indicated as follows:</p> <p>Recognise the benefits that infrastructure not defined as Regionally Significant Infrastructure provides to the economic, social, <u>resilient</u>, and cultural functioning of the City and health and wellbeing of people and communities</p> | 3.16.2 | Accept in part | See body of the report | Yes |
| 83.29 ²³⁶ | Powerco Limited | INF-P2 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.42 | Waka Kotahi NZ Transport Agency | INF-P2 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in | No |

²³⁵ Opposed by Kāinga Ora [FS65.100]

²³⁶ Supported by Firstgas Ltd [FS63.16]

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| | | | | | | response to other submissions | |
| 262.16 | Fulton Hogan | INF-P2 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.109 ²³⁷ | Royal Forest and Bird Protection Society | INF-P3 | Amend as follows: Enable infrastructure to be provided in a manner that is safe, efficient, integrated, accessible and anticipated available to provide sufficient capacity for existing and planned authorised subdivision, use and development. | 3.16.3 | Accept in part | See body of the report | Yes |
| 119.21 | Fire and Emergency New Zealand | INF-P3 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.30 | Powerco Limited | INF-P3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.11 | Firstgas Limited | INF-P3 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.17 | Wellington Electricity Lines Limited | INF-P3 | Retain as currently drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.19 | KiwiRail Holdings Limited (KiwiRail) | INF-P3 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.249 | Kāinga Ora – Homes and Communities | INF-P3 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.43 | Waka Kotahi NZ Transport Agency | INF-P3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.20 | KiwiRail Holdings Limited (KiwiRail) | INF-P4 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.12 | Firstgas Limited | INF-P4 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in | No |

²³⁷ Opposed by WELL [FS28.14], Powerco Limited [FS37.16] and Kāinga Ora [FS65.103]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | | | | response to other submissions | |
| 83.31 ²³⁸ | Powerco Limited | INF-P4 | Amend policy INF - P4 as follows: Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that: 1. Is of a form, location and scale that minimises adverse effects on the environment <u>where practicable</u> ; 2. Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and 3. For any maintenance and repair, or removal of existing infrastructure in any Overlay, it is of a nature and scale that does not adversely impact <u>where practicable</u> on the identified values and characteristics of the Overlay that it is located within. | 3.16.4 | Reject | See body of the report | No |
| 82.44 ²³⁹ | Waka Kotahi NZ Transport Agency | INF-P4 | Amend provision: "Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that: 1. Is of a form, location and scale that minimises <u>mitigates</u> adverse effects on the environment; 2. <u>For any new infrastructure</u> , it is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and [...]" | 3.16.4 | Accept in part | See body of the report | Yes |
| 51.54 ²⁴⁰ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P4 | Amend the policy as follows: INF-P4 Appropriate infrastructure Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that: 1. Is of a form, location and scale that minimises adverse effects on the environment; 2. Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and 3. For any maintenance and repair, or removal of existing infrastructure in any Overlay, it is of a nature and scale that does not adversely impact on the identified values and characteristics of the Overlay that it is located within. | 3.16.4 | Reject | See body of the report | No |
| 60.35 ²⁴¹ | Transpower New Zealand Ltd | INF-P4 | Retain INF-P4 subject to: <ul style="list-style-type: none"> The provision of a new National Grid policy INF-Pxx; and Amendment to INF-P6 and INF-P7 as sought in this submission. Or Amend INF-P4 to give effect to the relief sought in other submission points (INF-Pxx, P6 and P7) if the above changes are not granted. And Any consequential amendments | 3.16.4 | Accept in part | See body of the report | No |
| 121.19 | Radio New Zealand Limited | INF-P4 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²³⁸ Supported by Radio New Zealand Ltd [FS60.49]; opposed by Heritage New Zealand Pouhere Taonga [FS14.17]

²³⁹ Supported by Radio New Zealand Ltd [FS60.50]

²⁴⁰ Supported by Radio New Zealand Ltd [FS60.51] and Kāinga Ora [FS65.104]

²⁴¹ Opposed by Kāinga Ora [FS65.105]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 225.110 ²⁴² | Royal Forest and Bird Protection Society | INF-P4 | Delete or Alternatively amend as follows: Appropriate <u>Regionally Significant Infrastructure</u> Enable Consider the appropriateness of new <u>Regionally Significant Infrastructure</u> and the maintenance and repair, upgrading and removal of existing <u>Regionally Significant Infrastructure</u> , including <u>associated earthworks</u> , that: 1. Is of a form, location and scale that minimises adverse effects on the environment; 2. Is compatible with the anticipated character and amenity values of the zone in which the infrastructure is located; and 3. For any <u>new Regionally Significant Infrastructure</u> , maintenance and repair, or removal of existing <u>Regionally Significant Infrastructure</u> in any Overlay, it is of a nature and scale that does not adversely impact on the identified values and characteristics of the Overlay that it is located within. | 3.16.4 | Accept in part | See body of the report | Yes |
| 262.17 | Fulton Hogan | INF-P4 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.250 | Kāinga Ora – Homes and Communities | INF-P4 | Amend: Enable new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure, including earthworks, that: 1. Is of a form, location and scale that minimises adverse effects on the environment; 2. Is compatible with the anticipated character, <u>planned built form</u> , and amenity values of the zone in which the infrastructure is located; and 3. For any maintenance and repair, or removal of existing infrastructure in any Overlay, it is of a nature and scale that does not adversely impact on the identified values and characteristics of the Overlay that it is located within. | 3.16.4 | Accept in part | See body of the report | Yes |
| 121.20 ²⁴³ | Radio New Zealand Limited | INF-P5 | Amend policy as follows: c. The extent to which the subdivision design and consequential development will minimise <u>avoid</u> the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; | 3.16.5 | Accept in part | See body of the report | Yes |
| 51.52 ²⁴⁴ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P5 | Amend policy as follows: INF-P5 Adverse effects on Regionally Significant Infrastructure Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised by: 1. Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including: a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure; b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided; | 3.16.5 | Accept | See body of the report | Yes |

²⁴² Opposed by WELL [FS28.15], Powerco Limited [FS37.17] and Kāinga Ora [FS65.106]

²⁴³ Opposed by Greater Wellington Regional Council [FS40.105] and Kāinga Ora [FS65.107]

²⁴⁴ Opposed by Kāinga Ora [FS65.108]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and</p> <p>2. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.</p> <p>1. Avoiding sensitive activities and building platforms located within the National Grid Yard;</p> <p>2. Only allowing subdivision within the National Grid Corridor where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account:</p> <ul style="list-style-type: none"> a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid; b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; c. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot; d. The risk to the structural integrity of the National Grid; e. 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; <p>3. Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network;</p> <p>4. Requiring sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor and State Highways are avoided, remedied or mitigated;</p> <p>5. Requiring any buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances within the National Grid and Gas Transmission Network;</p> <p>6. Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including:</p> <ul style="list-style-type: none"> a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure; b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided; c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and <p>7. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure.</p> | | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.45 ²⁴⁵ | Waka Kotahi NZ Transport Agency | INF-P5 | Amend provision: [...] 4. Requiring sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor and State Highways are avoided, remedied or mitigated. [...] 6. Considering any potential adverse effects of subdivision, <u>use and development</u> of a site that contains or is adjacent to <u>or located near</u> , any Regionally Significant Infrastructure other than the National Grid, including: [...] 7. Requiring subdivision, <u>use and development</u> of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and repair of, that infrastructure. <u>"8. Require developers to fund the upgrade of Regionally Significant Infrastructure that is required as a result of subdivision, use and development."</u> | 3.16.5 | Accept in part | See body of the report | Yes |
| 83.32 ²⁴⁶ | Powerco Limited | INF-P5 | Amend INF – P5.4 as follows: 4. Requiring sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor, and State Highways <u>and the electricity and gas transmission and distribution networks</u> are avoided, remedied or mitigated. | 3.16.5 | Reject | See body of the report | No |
| 83.33 ²⁴⁷ | Powerco Limited | INF-P5 | In relation to INF-P5-6: Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.34 ²⁴⁸ | Powerco Limited | INF-P5 | In relation to INF-P5-7: Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.13 ²⁴⁹ | Firstgas Limited | INF-P5 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.21 ²⁵⁰ | KiwiRail Holdings Limited (KiwiRail) | INF-P5 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.18 ²⁵¹ | Wellington Electricity Lines Limited | INF-P5 | Retain as currently drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in | No |

²⁴⁵ Supported by Radio New Zealand Ltd [FS60.52]; opposed by Kenepuru Limited Partnership [FS20.16], Paremata Business Park [FS64.16], Carrus Corporation Limited [FS62.22] and Kāinga Ora [FS65.109]

²⁴⁶ Opposed by Kāinga Ora [FS65.110]

²⁴⁷ Opposed by Kāinga Ora [FS65.110]

²⁴⁸ Opposed by Kāinga Ora [FS65.110]

²⁴⁹ Opposed by Kāinga Ora [FS65.110]

²⁵⁰ Opposed by Kāinga Ora [FS65.110]

²⁵¹ Opposed by Kāinga Ora [FS65.110]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | | | | response to other submissions | |
| 81.251 ²⁵² | Kāinga Ora – Homes and Communities | INF-P5 | <p>Delete:</p> <p>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of Regionally Significant Infrastructure from being unreasonably compromised by:</p> <ol style="list-style-type: none"> 1. Avoiding sensitive activities and building platforms located within the National Grid Yard; 2. Only allowing subdivision within the National Grid Corridor where it can be demonstrated that any adverse effects on and from the National Grid, including public health and safety, will be avoided, remedied or mitigated, taking into account: <ol style="list-style-type: none"> a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid; b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; c. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot; d. The risk to the structural integrity of the National Grid; e. 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; 3. Only allowing sensitive activities within the Gas Transmission Pipeline Corridor where these are of a scale and nature that will not compromise the Gas Transmission Network; 4. Requiring new sensitive activities to be located and designed so that potential adverse effects of and on the Rail Corridor and State Highways are avoided, remedied or mitigated; 5. Requiring any new buildings or structures to be of a nature and scale and to be located and designed to maintain safe distances within the National Grid and Gas Transmission Network; 6. Considering any potential adverse effects of subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid, including: <ol style="list-style-type: none"> a. The impact of subdivision layout and design on the operation, maintenance and repair, and potential upgrade and development of the infrastructure; b. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a dwelling can be provided; c. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on and amenity and nuisance effects of the infrastructure; and 7. Requiring subdivision of a site that contains or is adjacent to any Regionally Significant Infrastructure other than the National Grid to be designed to avoid or mitigate any adverse effects on access to, and the safe and efficient operation and maintenance and —? repair of, that infrastructure. | 3.16.5 | Reject | See body of the report | No |

²⁵² Opposed by Transpower New Zealand Ltd [FS04.33], Powerco Limited [FS37.3], Radio New Zealand Ltd [FS60.54] and Firstgas Ltd [FS63.18]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 86.22 ²⁵³ | KiwiRail Holdings Limited (KiwiRail) | INF-P8 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.14 ²⁵⁴ | Firstgas Limited | INF-P8 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.35 ²⁵⁵ | Powerco Limited | INF-P8 | Amend INF – P8 as follows: Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved: 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised <u>avoided, remedied or mitigated</u> , taking into account: a. The bulk, height, size, colour, reflectivity of the infrastructure; b. Any proposed associated earthworks; c. The time, duration or frequency of any adverse effects; and d. Any proposed mitigation measures; 4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated; 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised; 6. Public access to and along the coastal marine area and water bodies is maintained or enhanced ; 7. Any adverse effects on any values and qualities of any adjacent Overlays are minimised-avoided, remedied or mitigated ; 8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and 9. Any adverse cumulative effects are <u>minimised avoided, remedied or mitigated</u> . | 3.16.6 | Reject | See body of the report | No |
| 82.46 ²⁵⁶ | Waka Kotahi NZ Transport Agency | INF-P8 | Amend provision: "3. Any adverse effects on amenity values are minimised <u>mitigated</u> , taking into account: a. The bulk, height, size, colour, reflectivity of the infrastructure; b. Any proposed associated earthworks; c. The time, duration or frequency of any adverse effects; and d. Any proposed mitigation measures; [...] 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised <u>mitigated</u> ; | 3.16.6 | Reject | See body of the report | No |

²⁵³ Opposed in part by Kāinga Ora [FS65.114]

²⁵⁴ Opposed in part by Kāinga Ora [FS65.115]

²⁵⁵ Opposed in part by Kāinga Ora [FS65.116]

²⁵⁶ Supported by Radio New Zealand Ltd [FS60.55]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | [...] 7. Any adverse effects on any values and qualities of any adjacent Overlays are minimised <u>mitigated</u> ; [...] 9. Any adverse cumulative effects are minimised <u>mitigated</u> ." | | | | |
| 60.39 ²⁵⁷ | Transpower New Zealand Ltd | INF-P8 | Retain Policy INF-P8 if a new policy INF-Pxx is provided and policy INF-P6 and INF-P7 are amended as sought above. Amend Policy INF-P8 to give effect to the NPSET if a new policy is not provided. | 3.16.6 | Accept in part | See body of the report | Yes |
| 51.50 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P8 | Delete policy as follows: INF-P8 Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved: 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised, taking into account: a. The bulk, height, size, colour, reflectivity of the infrastructure; b. Any proposed associated earthworks; c. The time, duration or frequency of any adverse effects; and d. Any proposed mitigation measures; 4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated; 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised; 6. Public access to and along the coastal marine area and water bodies is maintained or enhanced; 7. Any adverse effects on any values and qualities of any adjacent Overlays are minimised; 8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and 9. Any adverse cumulative effects are minimised. | 3.16.6 | Accept in part | See body of the report | Yes |
| 225.113 ²⁵⁸ | Royal Forest and Bird Protection Society | INF-P8 | Delete or Alternatively amend as follows: Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved: 1A. <u>SNAs are protected and indigenous biological diversity is maintained: and</u> 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised, taking into account: a. The bulk, height, size, colour, reflectivity of the infrastructure; | 3.16.6 | Reject | See body of the report | No |

²⁵⁷ Opposed in part by Kāinga Ora [FS65.117]

²⁵⁸ Supported by Greater Wellington Regional Council [FS40.131]; opposed by WELL [FS28.16] and Powerco Limited [FS37.18], opposed in part by Kāinga Ora [FS65.118]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | b. Any proposed associated earthworks; c. The time, duration or frequency of any adverse effects; and d. Any proposed mitigation measures; 4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated; 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised; 6. Public access to and along the coastal marine area and water bodies is maintained or enhanced; 7. Any adverse effects on any values and qualities of any adjacent Overlays are <u>avoided</u> minimised ; 8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and 9. Any adverse cumulative effects are <u>avoided, remedied or mitigated</u> minimised . | | | | |
| 121.21 | Radio New Zealand Limited | INF-P8 | Not specified. While no specific amendments are sought, the submission raises the following: Support for the policy. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.254 ²⁵⁹ | Kāinga Ora – Homes and Communities | INF-P8 | Amend: Provide for Regionally Significant Infrastructure and other infrastructure which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved: 1. Compatibility with the site, existing built form and landform; 2. Compatibility with the anticipated character and amenity values of the zone it is located in; 3. Any adverse effects on amenity values are minimised, taking into account: a. The bulk, height, size, colour, reflectivity of the infrastructure; b. Any proposed associated earthworks; c. The time, duration or frequency of any adverse effects; and d. Any proposed mitigation measures; 4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated; 5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised; 6. Public access to and along the coastal marine area and water bodies is maintained or enhanced; 7. Any adverse effects on any values and qualities of any adjacent Overlays are minimised ; 8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and 9. Any adverse cumulative effects are minimised. | 3.16.6 | Reject | See body of the report | No |

²⁵⁹ Supported by Powerco Limited [FS37.4]; opposed by Te Rūnunga o Toa Rangatira [FS70.5]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 81.255 | Kāinga Ora – Homes and Communities | INF-P9 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.15 | Firstgas Limited | INF-P9 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.36 | Powerco Limited | INF-P9 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.47 | Waka Kotahi NZ Transport Agency | INF-P9 | Amend provision: "1. The extent to which; a. The infrastructure integrates with, and is necessary to support, planned urban development; b. The potential for significant adverse effects have been minimised <u>mitigated</u> through site, route or method selection; and c. <u>Functional and operational needs constrain</u> the ability to avoid, remedy or mitigate adverse effects of infrastructure. is constrained by functional and operational needs; [...] 6. The benefits of the infrastructure on the surrounding network". | 3.16.7 | Accept in part | See body of the report | Yes |
| 86.23 | KiwiRail Holdings Limited (KiwiRail) | INF-P9 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.19 | Wellington Electricity Lines Limited | INF-P9 | Retain as currently worded. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.25 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P9 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.138 | Transpower New Zealand Ltd | INF-P9 | Retain. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 121.22 | Radio New Zealand Limited | INF-P9 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 225.114 ²⁶⁰ | Royal Forest and Bird Protection Society | INF-P9 | Delete. | 3.16.7 | Reject | See body of the report | No |
| 225.115 | Royal Forest and Bird Protection Society | INF-P10 | Consider the appropriate chapter for locating this policy or amend to clarify with respect to RSI and to promote rather than recognise. | 3.16.8 | Reject | See body of the report | No |
| 51.30 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P10 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.40 ²⁶¹ | Transpower New Zealand Ltd | INF-P10 | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.24 | KiwiRail Holdings Limited (KiwiRail) | INF-P10 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.256 | Kāinga Ora – Homes and Communities | INF-P10 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.257 | Kāinga Ora – Homes and Communities | INF-P11 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.37 | Powerco Limited | INF-P11 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.41 | Transpower New Zealand Ltd | INF-P11 | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 121.23 ²⁶² | Radio New Zealand Limited | INF-P11 | Amend policy as follows: Avoid infrastructure that does not meet national environmental standards and/or other nationally recognised standards or guidelines for electric and magnetic fields and radiofrequency fields. | 3.16.9 | Accept in part | See body of the report | Yes |

²⁶⁰ Opposed by WELL [FS28.17], Powerco Limited [FS37.19] and Kāinga Ora [FS65.119]

²⁶¹ Supported by Powerco Limited [FS37.1]

²⁶² Opposed in part by Kāinga Ora [FS65.120]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 81.258 | Kāinga Ora – Homes and Communities | INF-P12 | Delete: Enable the safe, resilient, effective and efficient operation, maintenance and repair of the transport network to meet local, regional and national transport needs. Consequential amendments to reference numbers in the objectives, policies, rules and standards. Relocate the policy to the Transport Chapter. | 3.5.5.1 | Reject | See body of the report | No |
| 82.48 ²⁶³ | Waka Kotahi NZ Transport Agency | INF-P12 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.25 ²⁶⁴ | KiwiRail Holdings Limited (KiwiRail) | INF-P12 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 137.24 ²⁶⁵ | Greater Wellington Regional Council | INF-P12 | Retain. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.116 ²⁶⁶ | Royal Forest and Bird Protection Society | INF-P12 | Delete, relocate to the transport chapter or Alternatively amend as follows: Enable the safe, resilient, effective and efficient operation, maintenance and repair of the <u>established</u> transport network to meet local, regional and national transport needs <u>while avoiding, remediating and mitigating adverse effects.</u> | 3.5.5.1 | Reject | See body of the report | No |
| 81.261 | Kāinga Ora – Homes and Communities | INF-P15 | Delete Classify roads according to their function and anticipated volume of traffic, based on the New Zealand Transport Agency's One Network Road Classification, as set out in SCHED1– Roads Classified According to One Network Road Classification. Consequential amendments to reference numbers in the objectives, policies, rules and standards. Relocate the policy to the Transport Chapter. | 3.5.5.4 | Reject | See body of the report | No |
| 82.51 ²⁶⁷ | Waka Kotahi NZ Transport Agency | INF-P15 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.53 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, | INF-P16 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²⁶³ Opposed by Kāinga Ora [FS65.121]

²⁶⁴ Opposed by Kāinga Ora [FS65.122]

²⁶⁵ Opposed by Kāinga Ora [FS65.122]

²⁶⁶ Opposed by Kāinga Ora [FS65.122]

²⁶⁷ Opposed by Kāinga Ora [FS65.128]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|---|-----------|---|--|--------------------------|---|--------------------------------|
| | Vodafone New Zealand Limited | | | | | | |
| 83.38 | Powerco Limited | INF-P16 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.262 ²⁶⁸ | Kāinga Ora – Homes and Communities | INF-P16 | Delete: Encourage the use of roads as infrastructure corridors in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors 2019. | 3.16.10 | Reject | See body of the report | No |
| 81.263 | Kāinga Ora – Homes and Communities | INF-P17 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.39 | Powerco Limited | INF-P17 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.27 | KiwiRail Holdings Limited (KiwiRail) | INF-P17 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.32 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P17 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.42 | Transpower New Zealand Ltd | INF-P17 | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 65.5 | Heritage New Zealand Pouhere Taonga | INF-P17 | Retain policy. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.119 ²⁶⁹ | Royal Forest and Bird Protection Society | INF-P17 | Amend as follows: Only <u>consider allowing</u> upgrades to existing infrastructure and new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites or sites or areas identified in SCHED6 - Sites and Areas of Significance to Māori where it can be demonstrated that: 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and | 3.16.11 | Reject | See body of the report | No |

²⁶⁸ Opposed by WELL [FS28.3] and Powerco Limited [FS37.5]

²⁶⁹ Opposed by Powerco Limited [FS37.20] and Kāinga Ora [FS65.129]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|---|-----------|--|--|--------------------------|---|--------------------------------|
| | | | 2. The upgrade to existing infrastructure and new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature; 3. the objectives of the relevant chapters and overlay provisions are achieved. | | | | |
| 225.120 | Royal Forest and Bird Protection Society | INF-P18 | Retain. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.27 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P18 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.20 | Wellington Electricity Lines Limited | INF-P18 | Amendment to INF-P18 sought to ensure the policy also recognises the districts overhead line network: "Enable the trimming, pruning and activities within the root protection and dripline areas of a tree identified in SCHED5 - Notable Trees for the purpose of operating, maintaining and repairing, upgrading and ..." | 3.16.12 | Reject | See body of the report | No |
| 83.40 | Powerco Limited | INF-P18 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.264 | Kāinga Ora – Homes and Communities | INF-P18 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.265 | Kāinga Ora – Homes and Communities | INF-P19 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.41 | Powerco Limited | INF-P19 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.21 | Wellington Electricity Lines Limited | INF-P19 | Retain as currently drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.121 ²⁷⁰ | Royal Forest and Bird Protection Society | INF-P19 | Amend the wording so that it: <ul style="list-style-type: none"> • Is less directive; and • Allows for a case by case determination with consideration of adverse effects. | 3.16.13 | Accept in part | See body of the report | Yes |

²⁷⁰ Opposed by Powerco Limited [FS37.21]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|---|-----------|---|--|--------------------------|---|--------------------------------|
| 83.43 | Powerco Limited | INF-P21 | Amend INF – P21.1 as follows: 1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated <u>as far as reasonably practicable</u> and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 – Special Amenity Landscapes are <u>maintained to the extent practicable</u> ; and | 3.16.14 | Reject | See body of the report | No |
| 86.29 | KiwiRail Holdings Limited (KiwiRail) | INF-P21 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.123 ²⁷¹ | Royal Forest and Bird Protection Society | INF-P21 | Amend as follows: Upgrades to and new <u>Regionally Significant</u> infrastructure in Special Amenity Landscapes Except as provided for by INF-P6 and INF-P7, only <u>consider allowing</u> for upgrades to existing <u>Regionally Significant</u> infrastructure and for new <u>Regionally Significant</u> infrastructure within Special Amenity Landscapes where: 1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and <u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u> <u>1B. indigenous biological diversity is maintained; and</u> 2. There is an operational need or functional need that means the infrastructure's location cannot be avoided; 3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through: a. Grouping or dispersing structures; b. Undergrounding; and c. Locations that reduce visibility. 4. The design methods used minimise the adverse visual effects of the infrastructure, including: a. Landscaping and screening; b. Design, location, height, bulk and colour; c. Any light spill effects; d. Reflectivity effects; and 5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects. | 3.16.14 | Reject | See body of the report | No |
| 51.24 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P21 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.267 | Kāinga Ora – Homes and Communities | INF-P21 | Amend: | 3.16.14 | Reject | See body of the report | No |

²⁷¹ Opposed by Powerco Limited [FS37.23]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>Except as provided for by INF-P6 and INF-P7, only allow for upgrades to existing infrastructure and for new infrastructure within Special Amenity Landscapes where:</p> <ol style="list-style-type: none"> 1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and 2. There is an operational need or functional need that means the infrastructure's location cannot be avoided; 3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through: <ol style="list-style-type: none"> a. Grouping or dispersing structures; b. Undergrounding; and c. Locations that reduce visibility. 4. The design methods used minimise the adverse visual effects of the infrastructure, including: <ol style="list-style-type: none"> a. Landscaping and screening; b. Design, location, height, bulk and colour; c. Any light spill effects; d. Reflectivity effects; and 5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects. | | | | |
| 225.124 ²⁷² | Royal Forest and Bird Protection Society | INF-P22 | <p>Amend as follows: Upgrades to and new <u>Regionally Significant</u> Infrastructure in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing <u>Regionally Significant</u> Infrastructure where, and avoid new <u>Regionally Significant</u> Infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that: <u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u> <u>1B. indigenous biological diversity is maintained; and</u></p> <ol style="list-style-type: none"> 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives; 2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas; 3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and 4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3. | 3.16.15 | Reject | See body of the report | No |

²⁷² Opposed by Powerco Limited [FS37.24]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 86.30 | KiwiRail Holdings Limited (KiwiRail) | INF-P22 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.44 ²⁷³ | Powerco Limited | INF-P22 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.53 | Waka Kotahi NZ Transport Agency | INF-P22 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.268 | Kāinga Ora – Homes and Communities | INF-P22 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.45 | Transpower New Zealand Ltd | INF-P22 | Retain Policy INF-P22 if policies INF-P6 and INF-P7 are amended as sought. Amend Policy INF-P22 to give effect to the NPSET if a new policy is not provided. | 3.16.15 | Reject | See body of the report | No |
| 51.28 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P22 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.55 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P22 | Amend the policy as follows: INF-P22 Coastal High Natural Character Area Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing infrastructure where, and avoid new infrastructure in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that: 1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, <u>or the utility is a lifeline utility</u> , and there are no reasonable alternatives; 2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas; 3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and 4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL-P3 and NFL-P6 and CE-P3. | 3.16.15 | Reject | See body of the report | No |

²⁷³ Supported by Firstgas Ltd [FS63.19]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|---|-----------|--|--|--------------------------|---|--------------------------------|
| 60.46 ²⁷⁴ | Transpower New Zealand Ltd | INF-P23 | Amend Policy INF-P23 as follows: INF-P23 Upgrades to and new infrastructure in Natural Hazard Overlays and Coastal Hazard Hazards and Risk Overlays Only allow Provide for the upgrades to existing and provision of new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure: <ol style="list-style-type: none"> 1. Does not increase the risk from the natural hazard to people, or other property or infrastructure; 2. Has a functional need or operational need for its location that means the infrastructure's location cannot be avoided and there are no reasonable alternatives; 3. Is not vulnerable to the natural hazard; 4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and 5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event. And Any consequential amendments | 3.16.16 | Reject | See body of the report | No |
| 59.12 ²⁷⁵ | Kenepuru Limited Partnership | INF-P23 | Amend the policy as follows: 3. Is not vulnerable designed to be resilient to the natural hazard; | 3.16.16 | Accept | See body of the report | Yes |
| 81.269 | Kāinga Ora – Homes and Communities | INF-P23 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.54 | Waka Kotahi NZ Transport Agency | INF-P23 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.45 | Powerco Limited | INF-P23 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.31 | KiwiRail Holdings Limited (KiwiRail) | INF-P23 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.26 ²⁷⁶ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-P23 | Amend the policy as follows: INF-P23 Only allow for upgrades to existing and new infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure: <ol style="list-style-type: none"> 1. Does not increase the risk from the natural hazard to people, or other property or infrastructure; | 3.16.16 | Reject | See body of the report | No |

²⁷⁴ Opposed by Kāinga Ora [FS65.132]

²⁷⁵ Opposed by Greater Wellington Regional Council [FS40.21]

²⁷⁶ Opposed by Greater Wellington Regional Council [FS40.17]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|---|-----------|---|--|--------------------------|---|--------------------------------|
| | | | 2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives; 3. Is not vulnerable to the natural hazard; 4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and 5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event. | | | | |
| 83.46 | Powerco Limited | INF-P26 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.55 | Waka Kotahi NZ Transport Agency | INF-P26 | Amend provision: INF- P26 Official Signs Enable <u>official</u> signs associated with the construction, operation, maintenance and repair or upgrading of infrastructure. | Table B 1 | Accept | Agree with the reasons given by the submitter. | Yes |
| 81.272 | Kāinga Ora – Homes and Communities | INF-P26 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| Rules | | | | | | | |
| 51.33 ²⁷⁷ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Notes | Amend as follows: Rules [...] <p>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, separate to this District Plan. <u>The following District Plan scheduled areas are considered NES subpart 5 matters, and as such, under the mechanism of the NES t</u>The District Plan continues to applyies if where these telecommunications facilities are located within the following:</p> [...] <p>Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from the noise limits in the Noise chapter. All other infrastructure must comply with the noise rules for the underlying zone.</p> | 3.17.1 | Accept | See body of the report | Yes |
| 121.24 | Radio New Zealand Limited | Notes | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.32 | KiwiRail Holdings Limited (KiwiRail) | Notes | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²⁷⁷ Opposed by Radio New Zealand Ltd [FS60.56]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|--------------------------------------|-----------|--|--|--------------------------|---|--------------------------------|
| 60.48 | Transpower New Zealand Ltd | Notes | Retain Note: Environmental Standards | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.47 ²⁷⁸ | Powerco Limited | INF-R1 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.273 ²⁷⁹ | Kāinga Ora – Homes and Communities | INF-R1 | Amend by deleting notification preclusion: Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. | 3.17.2 | Accept | See body of the report | Yes |
| 81.274 | Kāinga Ora – Homes and Communities | INF-R2 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.16 | Firstgas Limited | INF-R2 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.48 | Powerco Limited | INF-R2 | Delete in its entirety. | 3.17.3 | Accept in part | See body of the report | Yes |
| 86.33 | KiwiRail Holdings Limited (KiwiRail) | INF-R2 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.56 | Waka Kotahi NZ Transport Agency | INF-R2 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.275 | Kāinga Ora – Homes and Communities | INF-R3 | Amend: 1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S14; and ii. INF-S15. Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S14 or INF-S15. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard. Notification: | 3.17.4 | Reject | See body of the report | No |

²⁷⁸ Opposed by Kāinga Ora [FS65.137]²⁷⁹ Opposed by WELL [FS28.4]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|--|-----------|--|--|--------------------------|---|--------------------------------|
| | | | An application under this rule is precluded from being publicly <u>or limited</u> notified in accordance with sections 95A and 95B of the RMA. | | | | |
| 83.49 ²⁸⁰ | Powerco Limited | INF-R3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.34 | KiwiRail Holdings Limited (KiwiRail) | INF-R3 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.49 | Transpower New Zealand Ltd | INF-R3 | Retain INF-R3 | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.128 ²⁸¹ | Royal Forest and Bird Protection Society | INF-R3 | Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R3 1. to include: <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. Amend R3 2. to capture non compliance with 1. Add the following condition <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland Add the following matter of discretion: <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case. | 3.17.4 | Reject | See body of the report | No |
| 82.57 | Waka Kotahi NZ Transport Agency | INF-R3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.58 | Waka Kotahi NZ Transport Agency | INF-R3 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.276 | Kāinga Ora – Homes and Communities | INF-R4 | Amend: 1. Activity status: Permitted Where: a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S1; ii. INF-S11; iii. INF-S14; iv. INF-S15; and v. The noise rule(s) applying to the zone. 2. Activity status: Restricted discretionary | 3.17.5 | Reject | See body of the report | No |

²⁸⁰ Supported by Firstgas Ltd [FS63.24]

²⁸¹ Opposed by Powerco Limited [FS37.28] and Kāinga Ora [FS65.421]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|------------------------|--|-----------|--|--|--------------------------|---|--------------------------------|
| | | | <p>Where:</p> <p>a. Compliance is not achieved with INF-S1, INF-S11, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard or rule.</p> <p>Notification:</p> <p>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> | | | | |
| 83.50 | Powerco Limited | INF-R4 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.17 | Firstgas Limited | INF-R4 | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.35 | KiwiRail Holdings Limited (KiwiRail) | INF-R4 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.129 ²⁸² | Royal Forest and Bird Protection Society | INF-R4 | <p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R4 1. to include:</p> <ul style="list-style-type: none"> a condition that the activity is setback 15m from a SCHED7 SNA or a natural wetland include a limit on any vegetation removal of 2m from the existing infrastructure. <p>Amend R4 2. to capture non compliance with 1.</p> <p>Add the following condition</p> <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity <p>Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case.</p> | 3.17.5 | Reject | See body of the report | No |
| 225.130 ²⁸³ | Royal Forest and Bird Protection Society | INF-R5 | <p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R5-1 to include:</p> <ul style="list-style-type: none"> a condition that the activity is setback 15m from a natural wetland <p>Amend R5-2, R5-3 and R5-4 to capture non compliance with the 15m setback</p> <p>Add the following condition</p> <ul style="list-style-type: none"> the activity is not within 15m of a natural wetland <p>Add the following matter of discretion:</p> <ul style="list-style-type: none"> effects on indigenous biological diversity <p>R5-2 Delete the note regarding non-notification</p> <p>R5-6 Add the following matter of discretion:</p> | 3.17.6 | Reject | See body of the report | No |

²⁸² Opposed by Powerco Limited [FS37.29] and Kāinga Ora [FS65.138]

²⁸³ Supported by Director-General of Conservation [FS39.4] ; opposed Powerco Limited [FS37.30] and Kāinga Ora [FS65.139]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <ul style="list-style-type: none"> effects on indigenous biological diversity Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case, alternatively amend R5-7 to include the setback and change to non-complying. | | | | |
| 216.47 ²⁸⁴ | Queen Elizabeth the Second National Trust (QEII) | INF-R5 | Amend INF-R5.7 to refer to the ECO Chapter and indicate that some works in wetlands may be Non-Complying. | 3.17.6 | Reject | See body of the report | No |
| 86.36 | KiwiRail Holdings Limited (KiwiRail) | INF-R5 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.51 ²⁸⁵ | Powerco Limited | INF-R5 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.277 ²⁸⁶ | Kāinga Ora – Homes and Communities | INF-R5 | Amend: 1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S14; ii. INF-S15; and b. Compliance is achieved with INF-S18 and INF-S20 where the activity is located within an area identified in SCHED7 - Significant Natural Areas and the infrastructure is not located within a wetland; c. Compliance is achieved with INF-S17 where the activity is located within an area identified in: i. SCHED9 - Outstanding Natural Features and Landscapes; or ii. SCHED10 - Special Amenity Landscapes; or iii. SCHED11 - Coastal High Natural Character Areas; d. Compliance is achieved with INF-S19 where the activity involves trimming, pruning, removal or activities within the root protection area of a notable tree identified in SCHED5 - Notable Trees and the trimming, pruning, removal or activities are required: i. To comply with the Electricity (Hazards from Trees) Regulations 2003; ii. To comply with the Telecommunications Act 2001; or iii. For maintenance and repair purposes; e. Compliance is achieved with INF-S16 where the activity is located on or within a heritage item, heritage setting, historic heritage site, or an area identified in SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), SCHED4 - Historic Heritage Sites and SCHED6 - Sites of Significance to Maori; | 3.17.6 | Reject | See body of the report | No |

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285 Supported by Firstgas Ltd [FS63.25]

286 Opposed by WELL [FS28.5]

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| | | | <p>f. The activities do not result in a permanent change to the ground level where the activity is located in the Flood Hazard Overlays of the Natural Hazard Overlay, or the Coastal Hazard Overlay.</p> <p>Note: The operation of legally established existing infrastructure may rely on existing use rights or any resource consent obtained for that infrastructure.</p> <p>2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, or INF-S20. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>3. Activity status: Restricted discretionary Where: a. The works involve trimming, pruning or works within the root protection area of a notable tree identified in SCHED5 - Notable Trees; and b. Compliance is not achieved with INF-R5-1.d. Matters of discretion are restricted to: 1. The matters in INF-P18.</p> <p>4. Activity status: Restricted discretionary Where: a. The works involve the removal of a notable tree identified in SCHED5 - Notable Trees; and b. Compliance is not achieved with INF-R5-1.d. Matters of discretion are restricted to: 1. The matters in INF-P19.</p> <p>5. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S16. Matters of discretion are restricted to: 1. The matters in HH-P6; and 2. The matters in SASM-P4.</p> <p>6. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R5-1.f. Matters of discretion are restricted to: 1. The matters in INF-P23.</p> <p>7. Activity status: Discretionary Where: a. The works involve infrastructure located within a wetland within an area identified in SCHED7 - Significant Natural Areas.</p> <p>Section 88 information requirements for applications: 1. Applications for activities within SNAs must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist: a. Identifying the biodiversity values and potential impacts from the proposal; and</p> | | | | |

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| 60.50 ²⁸⁷ | Transpower New Zealand Ltd | INF-R5 | <p>b. Demonstrating that the ECO-P2 hierarchy has been applied.</p> <p>Retain INF-R5 subject to amendments to INF-S18 and INF-S20 as follows: INF-S18 Trimming, pruning or removal of indigenous vegetation within an area identified in SCHED7 - Significant Natural Areas This standard does not apply to:</p> <ul style="list-style-type: none"> Indigenous vegetation to be trimmed, pruned or removed located within the formation width of an existing road; or Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001; <u>or</u> <u>Indigenous vegetation to be trimmed, pruned or removed associated with the operation, maintenance and upgrading of the National Grid or to remove a potential fire risk associated with the National Grid.</u> <p>INF-S20 - Earthworks within an area identified in SCHED7 - Significant Natural Areas 2. The earthworks do not result in the removal of more than 20m2 of indigenous vegetation within any 12 month period. This standard does not apply to:</p> <ul style="list-style-type: none"> Earthworks required for the operation or maintenance of the formed width of existing access tracks or existing underground infrastructure where the earthworks are limited to within 2m either side of the existing infrastructure, or associated access track or fence; or Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent where the earthworks are limited to a total width of 2.5m; <u>or</u> <u>Earthworks required for the operation, maintenance or upgrade of the National Grid, including associated access tracks.</u> <p>And Any consequential amendments.</p> | Table B 1 | Accept in part | Accept in part as far as the submission relates to INF-R5, subject to amendments made in response to other submissions | No |
| 65.6 | Heritage New Zealand Pouhere Taonga | INF-R5 | Retain provisions. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.59 | Waka Kotahi NZ Transport Agency | INF-R5 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 82.60 | Waka Kotahi NZ Transport Agency | INF-R5 | Retain as notified. [Refer to original submission for full decision requested, including attachments] | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²⁸⁷ Opposed by Greater Wellington Regional Council [FS40.24]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 82.61 ²⁸⁸ | Waka Kotahi NZ Transport Agency | INF-R5 | Amend provision: a. "The works involve infrastructure located within a wetland within an area identified in SCHED7- Significant Natural Areas <u>except for maintenance and repair works associated with the ongoing safe and efficient operation of the transport network</u> ". AND Amend INF-R5.2 as follows: 2. Activity status: Restricted Discretionary Where: a. Compliance is not achieved with INF-S14, INF-S15, INF-S17, INF-S18, or INF-S20. b. <u>The works involve infrastructure located within a wetland within an area identified in SCHED7- Significant Natural Area, that are required for the ongoing safety and efficiency of the of the transport network.</u> - Matters of discretion: 1. The matters of discretion of any infringed standard; and 2. <u>The operational and functional needs of the infrastructure.</u> | 3.17.6 | Reject, in relation to the matter of discretion sought | See body of the report | No |
| 81.278 | Kāinga Ora – Homes and Communities | INF-R6 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 65.7 | Heritage New Zealand Pouhere Taonga | INF-R6 | Retain provisions. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.51 | Transpower New Zealand Ltd | INF-R6 | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.52 ²⁸⁹ | Powerco Limited | INF-R6 | Amend INF - R6.1 as follows: 1. Activity status: Permitted Where: a. The infrastructure is an antenna; and b. <u>the infrastructure is a gas line, regulator, meter, valve or meter cover; and</u> c. Compliance is achieved with INF – S2 | 3.17.7 | Reject | See body of the report | No |
| 82.62 | Waka Kotahi NZ Transport Agency | INF-R6 | Amend INF.R6 as follows: 2. Activity Status: Discretionary <u>Restricted Discretionary</u> Where: a. Compliance is not achieved with INF-R6-1.a or INF-S2 a. <u>The infrastructure is for the ongoing safety and efficiency of the transport network.</u> <u>Matters of discretion are restricted to:</u> 1. <u>The operational and functional needs of the infrastructure.</u> [...] 3. Activity status: <u>Discretionary</u> | 3.17.7 | Reject | See body of the report | No |

²⁸⁸ Opposed by Forest and Bird [FS52.10]²⁸⁹ Supported by Firstgas Ltd [FS63.26]

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| | | | <u>Where:</u> a. Compliance is not achieved with INF-R6-1.a or INF-S2. | | | | |
| 86.37 | KiwiRail Holdings Limited (KiwiRail) | INF-R7 | Amend rule as follows: Activity status: Permitted Where: 1.The infrastructure is: i Located underground; or ii Located above ground and is located within an existing road reserve <u>or rail corridor</u> ; and ... | Table B 1 | Accept | Agree with the amendments sought by the submitter for the reasons stated. | Yes |
| 81.279 | Kāinga Ora – Homes and Communities | INF-R7 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.52 | Transpower New Zealand Ltd | INF-R7 | Amend INF-R7 as follows: INF-R7 Upgrading of infrastructure, excluding roads, gas transmission, pipelines and transmission lines <u>at or</u> over 110kV located in an area identified in SCHED10 - Special Amenity Landscapes or SCHED11 - Coastal High Natural Character Areas And Any consequential amendments. | Table B 1 | Accept | Agree with the amendments sought by the submitter for the reasons stated. | Yes |
| 83.53 | Powerco Limited | INF-R7 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.280 | Kāinga Ora – Homes and Communities | INF-R8 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.38 | KiwiRail Holdings Limited (KiwiRail) | INF-R8 | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.53 | Transpower New Zealand Ltd | INF-R8 | Amend INF-R8 as follows: INF-R8 Upgrading of infrastructure, excluding roads, gas transmission pipelines and transmission lines <u>at or</u> over 110kV, in a Natural Hazard Overlay or Coastal Hazard Overlay All Zones: 1. Activity status: Permitted Where: And Any consequential amendments. | Table B 1 | Accept | Agree with the amendments sought by the submitter for the reasons stated. | Yes |
| 83.54 | Powerco Limited | INF-R8 | Amend INF – R8.1 as follows: 1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S1; ii. INF-S14; iii. INF-S15; and iv. The noise rule(s) applying to the zone; and b. The infrastructure upgrade: | 3.17.8 | Accept in part | See body of the report | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | i. Does not result in a permanent change to the ground level once the upgrade is completed; and ii. Any addition to existing infrastructure, structure or building located above ground level does not increase the footprint of the existing infrastructure, structure or building to the lesser of 10m ² or by no more than 50%. | | | | |
| 81.281 | Kāinga Ora – Homes and Communities | INF-R9 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 65.8 | Heritage New Zealand Pouhere Taonga | INF-R9 | Retain provisions. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.282 | Kāinga Ora – Homes and Communities | INF-R10 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 82.63 | Waka Kotahi NZ Transport Agency | INF-R10 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 82.64 | Waka Kotahi NZ Transport Agency | INF-R10 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 81.283 | Kāinga Ora – Homes and Communities | INF-R11 | Retain as notified | Table B 1 | Accept in part | Agree with submitter | No |
| 83.55 | Powerco Limited | INF-R11 | Amend INF – R11.1d as follows: 1(d) The infrastructure is above ground and is located above ground within the: ... | Table B 1 | Accept in part | Agree with submitter | No |
| 81.284 | Kāinga Ora – Homes and Communities | INF-R12 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.285 | Kāinga Ora – Homes and Communities | INF-R13 | Retain as notified | Table B 1 | Accept in part | Agree with submitter | No |
| 83.56 | Powerco Limited | INF-R13 | Amend the rule title for INF-R13 as follows: INF-R13 - Infrastructure located <u>on or within</u> existing buildings | 3.17.9 | Reject | Agree with submitter | No |
| 83.57 | Powerco Limited | INF-R14 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 86.39 | KiwiRail Holdings Limited (KiwiRail) | INF-R14 | Retain as proposed. | Table B 1 | Accept | Agree with submitter | No |
| 81.286 | Kāinga Ora – Homes and Communities | INF-R14 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |

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| 81.287 ²⁹⁰ | Kāinga Ora – Homes and Communities | INF-R15 | Amend: 1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S14; ii. INF-S15; and iii. The noise rule(s) applying to the zone. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard or rule. Notification: An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA. | 3.17.10 | Reject | See body of the report | No |
| 83.58 | Powerco Limited | INF-R15 | Retain as notified. | Table B 1 | Accept in part | Agree with submitter | No |
| 84.19 ²⁹¹ | Firstgas Limited | INF-R15 | Amend rule to the following: Underground infrastructure, excluding gas transmission pipelines and transmission lines over 110kV, outside of any overlay. | 3.17.10 | Reject | See body of the report | No |
| 81.288 | Kāinga Ora – Homes and Communities | INF-R16 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.289 | Kāinga Ora – Homes and Communities | INF-R17 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.290 | Kāinga Ora – Homes and Communities | INF-R18 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.291 | Kāinga Ora – Homes and Communities | INF-R19 | Amend: 1. Activity status: Permitted Where: a. The connection does not include a new tower; b. The connection does not exceed three additional poles; c. The diameter of conductors, lines or cables does not exceed 30mm; and d. Compliance is achieved with: i. INF-S14; and ii. INF-S15. 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S14 or INF-S15. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard. | 3.17.11 | Reject | See body of the report | No |

²⁹⁰ Supported by WELL [FS28.6]²⁹¹ Opposed by Kāinga Ora [FS65.144]

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| | | | <p>Notification: An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>3. Activity status: Discretionary Where: a. Compliance is not achieved with INF-R19-1.a, INF-R19-1.b or INF-R19.1.c.</p> | | | | |
| 81.292 | Kāinga Ora – Homes and Communities | INF-R20 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 83.59 | Powerco Limited | INF-R20 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 81.293 | Kāinga Ora – Homes and Communities | INF-R21 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.294 | Kāinga Ora – Homes and Communities | INF-R22 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 82.65 | Waka Kotahi NZ Transport Agency | INF-R22 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 86.40 | KiwiRail Holdings Limited (KiwiRail) | INF-R22 | Retain as proposed. | Table B 1 | Accept | Agree with submitter | No |
| 81.296 | Kāinga Ora – Homes and Communities | INF-R24 | <p>Amend:</p> <p>1. Activity status: Permitted Where: a. Compliance is achieved with i. INF-S21; and ii. SIGN-S6.</p> <p>2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-S21 or SIGN-S6.</p> <p>Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on any road controlling authority.</p> <p>Notification: Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that road controlling authorities may be notified</p> | 3.17.12 | Reject | See body of the report | No |
| 83.60 | Powerco Limited | INF-R24 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |

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| 86.41 | KiwiRail Holdings Limited (KiwiRail) | INF-R24 | Retain as proposed. | Table B 1 | Accept | Agree with submitter | No |
| 82.67 | Waka Kotahi NZ Transport Agency | INF-R24 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 81.297 ²⁹² | Kāinga Ora – Homes and Communities | INF-R25 | <p>Amend:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and</p> <p>b. Any earthworks within the National Grid Yard do not:</p> <p style="padding-left: 20px;">i. Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure;</p> <p style="padding-left: 20px;">ii. Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and</p> <p style="padding-left: 20px;">iii. Result in a reduction of the existing conductor clearance distances.</p> <p>c. Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth.</p> <p>Note: To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.c.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in EW-P5.</p> <p>Notification: Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA, except that First Gas Limited may be notified.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p> <p>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Limited.</p> <p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with INF-R25-1.a or INF-R25-1.b.</p> <p>Notification:</p> | 3.17.13 | Accept in part | See body of the report | Yes |

²⁹² Opposed by Transpower New Zealand Ltd [FS04.40]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <ul style="list-style-type: none"> -An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA. <p>When deciding whether any person is affected in relation to this rule for the purpose of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</p> | | | | |
| 84.20 ²⁹³ | Firstgas Limited | INF-R25 | <p>Amend Rule as follows: Infrastructure and the operation, maintenance and repair, upgrading and removal of existing infrastructure and associated earthworks in the National Grid Yard and Gas Transmission Pipeline Corridor</p> <p>1. Activity status: Permitted Where:</p> <p>a. Within the National Grid Yard the infrastructure is not for the reticulation and storage of water for irrigation purposes; and</p> <p>b. Any earthworks within the National Grid Yard do not:</p> <ol style="list-style-type: none"> Exceed 300mm in depth within 6m of the outer visible edge of a tower support structure; Exceed 3m in depth between 6m and 12m of the outer visible edge of a tower support structure; and Result in a reduction of the existing conductor clearance distances. <p>c. Any earthworks within the Gas Transmission Pipeline Corridor do not exceed 400mm in depth.</p> <p>Note:</p> <p><u>1.</u> To avoid doubt, all other rules in this table also apply to any infrastructure within the National Grid Yard and Gas Transmission Pipeline Corridor.</p> <p><u>2.</u> This rule does not apply to the owners and occupiers of the National Grid Yard and Gas Transmission Pipeline Corridor.</p> | 3.17.13 | Accept in part | See body of the report | Yes |
| 81.298 | Kāinga Ora – Homes and Communities | INF-R26 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 82.68 | Waka Kotahi NZ Transport Agency | INF-R26 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 83.61 | Powerco Limited | INF-R26 | Retain as notified. | Table B 1 | Accept | Agree with submitter | No |
| 60.55 | Transpower New Zealand Ltd | INF-R26 | Retain | Table B 1 | Accept | Agree with submitter | No |
| 81.304 | Kāinga Ora – Homes and Communities | INF-R32 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.305 | Kāinga Ora – Homes and Communities | INF-R33 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |

²⁹³ Supported by Transpower New Zealand Ltd [FS04.41]

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| 81.306 | Kāinga Ora – Homes and Communities | INF-R34 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.307 | Kāinga Ora – Homes and Communities | INF-R35 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.308 | Kāinga Ora – Homes and Communities | INF-R36 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.309 | Kāinga Ora – Homes and Communities | INF-R37 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.310 | Kāinga Ora – Homes and Communities | INF-R38 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.312 | Kāinga Ora – Homes and Communities | INF-R40 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.63 | Powerco Limited | INF-R40 | Amend rule INF-R40 so that upgrades that have no or very little potential impact on Notable Trees are permitted. | 3.17.14 | Accept | See body of report | Yes |
| 81.313 | Kāinga Ora – Homes and Communities | INF-R41 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.314 | Kāinga Ora – Homes and Communities | INF-R42 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.316 | Kāinga Ora – Homes and Communities | INF-R44 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 81.317 | Kāinga Ora – Homes and Communities | INF-R45 | Retain as notified | Table B 1 | Accept | Agree with submitter | No |
| 65.9 | Heritage New Zealand Pouhere Taonga | INF-R45 | Retain provisions. | Table B 1 | Accept | Agree with submitter | No |
| Standards | | | | | | | |
| 51.57 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S1 | Amend the standard as follows: 1. The realignment, relocation or replacement of a telecommunication line, any pipe (excluding a gas transmission pipeline), pole, tower, conductor, cross arm, switch, transformer or ancillary structure must be within 5m of the existing alignment or location <i>[Note if the amendment to the definition of pole as sought is not accepted, then this standard should be updated to also include telecommunication pole]</i> . 2. A pole must not be replaced with a tower. 3. The height of a replacement pole, tower or telecommunication pole must not exceed whichever is the lesser of: | 3.18.1 | Accept in part | See body of report | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | <p>a. 25m; or</p> <p>b. The height of the replaced pole or tower or telecommunication pole as of 28 August 2020 plus 30%;</p> <p>Except that, if the existing pole, tower or telecommunication pole is greater than 25m in height, the height of the replacement pole, tower or telecommunication pole must be no higher than the existing pole, tower or telecommunication pole.</p> <p>4. The diameter or width of a replacement pole or telecommunication pole:</p> <p>a. Must not exceed twice that of the replaced pole at its widest point as of 28 August 2020; or</p> <p>b. 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 as of 28 August 2020 at its widest point.</p> <p>5. A replacement tower's footprint must not exceed the width of the tower as of 28 August 2020 by more than 25%.</p> <p>6. The diameter of a replacement conductor or line must not exceed the diameter of the replaced conductor or line or 50mm, whichever is the greater.</p> <p>7. Additional conductors or lines:</p> <p>a. Must not increase the number of conductors or lines as of 28 August 2020 by more than 100%; and</p> <p>b. Must not exceed a 50mm diameter.</p> <p>8. There must be no additional towers.</p> <p>9. The number of additional poles required to achieve the conductor clearances required by NZECP 34:2001 must not exceed two.</p> <p>10. Additional cross arms must not exceed the length of the existing cross arm as of 28 August 2020 by more than 100%, up to a maximum of 4m.</p> <p>11. The diameter of replacement pipes located aboveground must not exceed the diameter of the replaced pipe by more than 300mm.</p> <p>12. The realignment, relocation or replacement of any other infrastructure structure or building:</p> <p>a. Must be within 5m of the alignment or location of the original structure or building;</p> <p>b. Must not increase the footprint of structure or building as of 28 August 2020 by greater than 30%.</p> <p>13. A replacement panel antenna must not increase the face area as of 28 August 2020 by more than 20%.</p> <p>14. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20%.</p> | | | | |
| 51.39 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S1 | <p>Amend the standard as follows:</p> <p>[...]</p> <p>3. The height of a replacement pole, tower or telecommunication pole must not exceed <u>the height of the pole, tower, or telecommunication pole which is being replaced, or whichever is the lesser of:</u></p> <p>a. 25m; or</p> <p>b. The height of the replaced pole or tower or telecommunication pole as of 28 August 2020 plus 30%;</p> <p>Except that, if the existing pole, tower or telecommunication pole is greater than 25m in height, the height of the replacement pole, tower or telecommunication pole must be no higher than the existing pole, tower or telecommunication pole.</p> <p>[...]</p> | 3.18.1 | Accept in part | See body of report | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 81.318 | Kāinga Ora – Homes and Communities | INF-S1 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.24 | Wellington Electricity Lines Limited | INF-S1 | Amend INF-S1-4: 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 as of 28 August 2020 <u>or alternatively 4.2m as taken from the pole centres at its widest point.</u> | 3.18.1 | Accept in part | See body of report | Yes |
| 85.25 | Wellington Electricity Lines Limited | INF-S1 | In relation to INF-S1-6: Amend the standard as below: 6. The diameter of a <u>single</u> replacement conductor or line must not exceed the diameter of the replaced conductor or line or 50mm, whichever is the greater. | 3.18.1 | Reject | See body of report | Yes |
| 85.26 | Wellington Electricity Lines Limited | INF-S1 | In relation to INF-S1-7: Retain standard as currently drafted. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.27 | Wellington Electricity Lines Limited | INF-S1 | In relation to INF-S1-9: Amend the standard as below: 9. The number of additional poles required to achieve the conductor clearances is <u>limited to that in order to achieve NZECP 34:2001 compliance. must not exceed two.</u> | 3.18.1 | Accept in part | See body of report | Yes |
| 85.28 | Wellington Electricity Lines Limited | INF-S1 | In relation to INF-S1-10: Amend standard as below: 10. Additional cross arms <u>on a single pole structure</u> must not exceed the length of the existing cross arm as of 28 August 2020 by more than 100%, up to a maximum of 4m. | 3.18.1 | Reject | See body of report | No |
| 60.62 | Transpower New Zealand Ltd | INF-S1 | Retain INF-S1 And Any consequential amendments. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.64 | Powerco Limited | INF-S1 | In relation to INF-S1-1: Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.65 | Powerco Limited | INF-S1 | In relation to INF-S1-11: Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.66 | Powerco Limited | INF-S1 | Amend INF-S1.12 as follows: 12. The realignment, relocation or replacement of any other infrastructure structure or building <u>(excluding underground gas infrastructure)</u> : a. Must be within 5m of the alignment or location of the original structure or building; b. Must not increase the footprint of structure or building as of 28 August 2020 by greater than 30%. | 3.18.1 | Reject | See body of report | No |
| 83.67 | Powerco Limited | INF-S2 | Amend INF-S2 as follows: 1. The colour of a replacement antenna must be the same colour as the building or structure 2. A replacement panel antenna must not increase the face area as of 28 August 2020 by more than 20% 3. A replacement dish antenna must not increase in diameter as of 28 August 2020 by more than 20% 4. Any replacement gas meter cover must not increase in size by more than 30%. | 3.17.7 | Reject | See body of report | No |

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| 81.319 | Kāinga Ora – Homes and Communities | INF-S2 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 65.10 | Heritage New Zealand Pouhere Taonga | INF-S2 | Retain provisions. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.42 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S3 | Retain as notified. | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 81.320 | Kāinga Ora – Homes and Communities | INF-S3 | Retain as notified. | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 81.321 | Kāinga Ora – Homes and Communities | INF-S4 | Retain as notified. | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 51.38 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S5 | Retain as notified. | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 81.322 | Kāinga Ora – Homes and Communities | INF-S5 | Retain as notified | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 51.40 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S6 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.58 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S6 | Amend standard as follows: INF-S6 Size and diameter – Antenna attached to a telecommunication pole (not regulated by the NESTF) [...] | 3.12.3 | Accept | See body of the report | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 81.323 | Kāinga Ora – Homes and Communities | INF-S6 | Retain as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.56 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S7 | Changes sought are as follows: INF-S7.1.b amend to read: 1.8m ² in area of any panel (largest face) if a panel antenna; or INF-S7.2.b amend to read: 1.51-2 m ² in area of any panel (largest face) if a panel antenna; or INF-S7.3.b amend to read: 1.51-2 m ² in area of any panel (largest face) if a panel antenna; or INF-S7.4.b amend to read: 1.20-8m ² in area of any panel (largest face) if a panel antenna; or INF-S7.6.b amend to read: 1.51-2 m ² in area of any panel (largest face) if a panel antenna; | 3.18.2 | Accept in part | See body of the report | Yes |
| 81.324 | Kāinga Ora – Homes and Communities | INF-S7 | Retain as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.41 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S8 | Retain as notified. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.68 ²⁹⁴ | Powerco Limited | INF-S8 | Amend INF-S8 as follows: 1. It must not exceed a maximum height above ground level of 2.2m. 2. It must not exceed a maximum area of 24 m ² . 3. It must not exceed a maximum height above ground level of 1.82 2m. 4. It must not exceed a maximum area of 1.42 m ² . | 3.18.3 | Reject | See body of the report | No |
| 85.29 ²⁹⁵ | Wellington Electricity Lines Limited | INF-S8 | Amend the standard as below: 1. It must not exceed a maximum height above ground level of 2m. 2. It must not exceed a maximum area of 25 m ² . 3. It must not exceed a maximum height above ground level of 1.8m. 4. It must not exceed a maximum area of 1.4m ² . 5. In the case of temporary electricity generators and self-contained power units to supply existing infrastructure a 20m ² area is applicable. | 3.18.3 | Reject | See body of the report | No |
| 85.30 | Wellington Electricity Lines Limited | INF-S9 | Amend the standard as below: 1 ... 2. It must not exceed a maximum area of 1520 m ² . | 3.18.4 | Reject | See body of the report | No |
| 83.69 | Powerco Limited | INF-S9 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

²⁹⁴ Supported in part by Kāinga Ora [FS65.152]

²⁹⁵ Supported in part by Kāinga Ora [FS65.153]

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| 81.327 | Kāinga Ora – Homes and Communities | INF-S10 | Retain as notified | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 81.328 | Kāinga Ora – Homes and Communities | INF-S11 | Retain as notified | Table B 1 | Accept | There are no recommended amendments to this standard. | No |
| 83.70 | Powerco Limited | INF-S11 | Amend standard INF-S11 as follows: 1. It must not be located within a riparian margin or coastal margin <u>unless it is located underground.</u> | 3.18.5 | Reject | See body of the report | No |
| 81.329 | Kāinga Ora – Homes and Communities | INF-S12 | Retain as notified | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 51.43 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S13 | Amend standard as follows: [...] All zones 1. It must not be located within a 2m setback from any site boundary <u>(except for any road boundary).</u> [...] | 3.18.6 | Accept in part | See body of the report | Yes |
| 81.330 | Kāinga Ora – Homes and Communities | INF-S13 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.33 | Firstgas Limited | INF-S13 | Remove setback requirements for cabinets. | 3.18.6 | Reject | See body of the report | No |
| 84.40 | Firstgas Limited | General | Remove setback requirements for cabinets. | 3.18.6 | Reject | See body of the report | No |
| 83.71 | Powerco Limited | INF-S13 | Amend standard INF-S13 as follows: 1. It must not be located within a 2m setback from any site boundary <u>that directly adjoins a sensitive activity unless it is adequately screened from view.</u> <u>This standard does not apply to underground infrastructure or the boundary with the road.</u> | 3.18.6 | Accept in part | See body of the report | Yes |
| 51.61 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S14 | Amend the standard as follows: [...] 4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure undertaken within 1.0m of the site boundary must not exceed 1.50m in depth. [...] | 3.18.7 | Accept in part | See body of the report | Yes |
| 11.8 | Porirua City Council | INF-S14 | Amend the standard as follows: 2. b. Where the earthworks are associated with switchback sections for the <u>development of new and construction, maintenance, or upgrade of existing</u> walkways, cycleways and shared paths that are located on public land other than a road. 5. Earthworks associated with the <u>development of new and construction, maintenance, or upgrade of existing</u> walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically... | Table B 1 | Accept | I agree with the submitter's reasons and the amendments sought. | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| 83.72 ²⁹⁶ | Powerco Limited | INF-S14 | Amend standard INF-S14.2 as follows: 2. Earthworks must not exceed 1.5m in cut height or fill depth, except: a. Where the earthworks are for trenching <u>or augured holes</u> for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure; and <u>or</u> b. Where the earthworks are associated with switchback sections for the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road. | 3.18.7 | Accept in part | See body of the report | Yes |
| 83.73 | Powerco Limited | INF-S14 | Amend standard INF-S14.3 as follows: 3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except: a. Where the earthworks are for trenching, <u>directional drilling or augured holes</u> for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure; or b. Where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works. | 3.18.7 | Accept | See body of the report | Yes |
| 83.74 ²⁹⁷ | Powerco Limited | INF-S14 | Amend standard INF-S14.4 as follows: 4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure undertaken within 1.0m of the site boundary must not exceed <u>1.05m</u> in depth. | 3.18.7 | Accept in part | See body of the report | Yes |
| 83.75 | Powerco Limited | INF-S14 | Amend standard INF-S14.6 as follows: 6. Earthworks must not be carried out within 5m of a river, except: a. Where the earthworks are for the installation, maintenance and repair, removal or upgrade of infrastructure located on or within existing bridges or structure crossing a stream, <u>or</u> b. The earthworks are for the installation of infrastructure by <u>directional drilling</u> . | 3.18.7 | Accept in part | See body of the report | Yes |
| 83.76 | Powerco Limited | INF-S14 | This standard does not apply to: • <u>Minor Earthworks</u> | 3.18.7 | Reject | See body of the report | No |
| 82.78 ²⁹⁸ | Waka Kotahi NZ Transport Agency | INF-S14 | Retain as notified. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.31 | Wellington Electricity Lines Limited | INF-S14 | Amend standard as below: This standard does not apply to: Earthworks undertaken by Transpower <u>or Wellington Electricity Lines Limited</u> to achieve the ground to conductor clearance required by NZECP34:2001; | 3.18.7 | Reject | See body of the report | No |
| 81.331 ²⁹⁹ | Kāinga Ora – Homes and Communities | INF-S14 | Amend: 1. Earthworks must not be undertaken on an existing slope with an angle of 34° or greater. 2. Earthworks must not exceed 1.5m <u>2.5m</u> in cut height or fill depth, except: a. Where the earthworks are for trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure; and | 3.18.7 | Accept in part | See body of the report | Yes |

²⁹⁶ Supported by Firstgas Ltd [FS63.28]

²⁹⁷ Supported by Spark New Zealand Trading Limited [FS42.3]

²⁹⁸ Opposed in part by Kāinga Ora [FS65.154]

²⁹⁹ Opposed by Te Rūnunga o Toa Rangatira [FS70.6]

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| | | | <p>b. Where the earthworks are associated with switchback sections for the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road.</p> <p>3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except:</p> <p>a. Where the earthworks are for trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure; or</p> <p>b. Where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works.</p> <p>4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure undertaken within 1.0m of the site boundary must not exceed 1.0m in depth.</p> <p>5. Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically, where the activities are undertaken by:</p> <p>a. Porirua City Council;</p> <p>b. Greater Wellington Regional Council;</p> <p>c. Department of Conservation; or</p> <p>d. A nominated contractor or agent of an organisation listed in (a) to (c).</p> <p>6. Earthworks must not be carried out within 5m of a river, except:</p> <p>a. Where the earthworks are for the installation, maintenance and repair, removal or upgrade of infrastructure located on or within existing bridges or structure crossing a stream.</p> <p>7. As soon as practical, but no later than three months after the completion of the works, the earthworks area must be stabilised with vegetation or sealed, paved, metaled or built over.</p> <p>8. All silt and sediment must be retained on the site.</p> <p>9. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> • Earthworks undertaken by Transpower to achieve the ground to conductor clearance required by NZECP34:2001; • Any earthworks associated with any maintenance and repair works for <u>roads</u>, walkways, cycleways and shared paths within road reserves; • Any earthworks associated with any building or structure used for infrastructure purposes that are within 2m of the exterior walls of the building or structure, measured in plan view; and • Any piling associated with a support structure that is within 2m of an existing support structure or necessary to install a support structure. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Local, regional and national benefits of the infrastructure; 2. The natural character of any riparian margin or coastal margin; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Retention of silt and sediment on the site; | | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
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| | | | 6. Any topographical and other site constraints that make compliance with the permitted standard impractical; and 7. The matters in EW-P1 | | | | |
| 51.60 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S15 | Amend the standard as follows: Under S15.4 1000m ² to 2500m ² | 3.18.8 | Reject | See body of the report | No |
| 81.332 | Kāinga Ora – Homes and Communities | INF-S15 | Amend: All Zones: (.....) Matters of discretion are restricted to: (.....) Riparian Margins, Coastal Margins: (.....) Matters of discretion are restricted to: (.....) Residential Zones, Settlement Zones, Neighbourhood Zone: (.....) Matters of discretion are restricted to: (.....) General Rural Zone, Rural Lifestyle Zone, Future Urban Zone, Special Purpose Zone (BRANZ), Māori Purpose Zone (Hongoeka): (.....) Matters of discretion are restricted to: (.....) Local Centre Zone, Large Format Retail Zone, Mixed Use Zone, City Centre Zone, General Industrial Zone, Hospital Zone: 5. The maximum area must be no greater than 400m ² Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; 5. Any topographical and other site constraints make compliance with the permitted standard impractical; and 6. Any adverse effects from traffic movements on the transport network and amenity values. Local Centre Zone, Large Format Retail Zone, Mixed Use Zone, City Centre Zone, General Industrial Zone, Hospital Zone, Open Space and Recreation Zones: 6. The maximum area must be no greater than 500m ² . Matters of discretion are restricted to: 1. Local, regional and national benefits of the infrastructure; 2. The matters of discretion in EW-S1; 3. Design and siting of the infrastructure; 4. Any operational or functional needs of the infrastructure; | 3.18.8 | Reject | See body of the report | No |

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| | | | <p>5. Any topographical and other site constraints make compliance with the permitted standard impractical; and</p> <p>6. Any adverse effects from traffic movements on the transport network and amenity values.</p> | | | | |
| 83.77 | Powerco Limited | INF-S15 | <p>Amend standard INF-S15.1 as follows:</p> <p>1. No area limits apply to earthworks required for trenching, <u>directional drilling or augured holes</u> for the construction, operation, maintenance and repair, removal or upgrade of underground infrastructure where the trenching:</p> <p>a. Is undertaken by Porirua City Council or a network utility operator, or a nominated contractor or agent;</p> <p>b. Does not result in an increase in height of the ground level upon completion of the works; and</p> <p>c. Is progressively closed so that no more than 120m of trench is open at any time.</p> | 3.18.8 | Accept in part | See body of the report | Yes |
| 11.9 | Porirua City Council | INF-S15 | <p>Amend the standard as follows:</p> <p>2. No area limits apply to earthworks associated with the development of new and <u>construction, maintenance, and upgrade</u> of existing walkways, cycleways and shared paths that are located on public land other than a road where the activities are undertaken by:</p> <p>a. Porirua City Council;</p> <p>b. Greater Wellington Regional Council;</p> <p>c. Department of Conservation; or</p> <p>d. A nominated contractor or agent of an organisation listed in (a) to (c).</p> | Table B 1 | Accept | I agree with the submitter's reasons and the amendments sought. | Yes |
| 51.59 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S16 | <p>Amend the standard as follows:</p> <p>[...]</p> <p>1. The earthworks are limited to trenching less than 600mm in width <u>or alternative methods such as directional drilling</u>, directly above existing underground infrastructure</p> <p>[...]</p> | 3.18.9 | Accept in part | See body of the report | Yes |
| 83.78 | Powerco Limited | INF-S16 | <p>Amend standard INF-S16 as follows:</p> <p>1. The earthworks are limited to trenching less than 600mm in width directly above existing underground infrastructure, <u>or</u></p> <p>2. <u>The earthworks are associated with the installation of a customer connection.</u></p> | 3.18.9 | Reject | See body of the report | No |
| 81.333 | Kāinga Ora – Homes and Communities | INF-S16 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.334 | Kāinga Ora – Homes and Communities | INF-S17 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 11.10 | Porirua City Council | INF-S17 | <p>Amend the standard as follows:</p> <p>1. b. Where the earthworks are associated with the development of new and <u>construction, maintenance, or upgrade</u> of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council ... or a nominated contractor or agent..</p> <p>....</p> <p>Except that:</p> | Table B 1 | Accept | I agree with the submitter's reasons and the amendments sought. | Yes |

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| | | | Where the earthworks are associated with the development construction, maintenance, or upgrade of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road and undertaken by Porirua City Council, Greater Wellington Regional Council, Department of Conservation or a nominated contractor or agent, no maximum disturbance area applies. | | | | |
| 81.336 | Kāinga Ora – Homes and Communities | INF-S19 | Retain as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.80 | Powerco Limited | INF-S19 | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.33 | Wellington Electricity Lines Limited | INF-S19 | Amendment to INF-S19: 3. Removal of a tree must only be undertaken where: ... <u>Works that are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003</u> | 3.18.10 | Accept in part | See body of the report | Yes |
| 51.62 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | INF-S19 | Amend the standard as follows: [...] 1. Any trimming or pruning: a. Must not exceed a branch or <u>root</u> diameter of 50mm at severance unless it is the removal of deadwood; [...] | 3.18.10 | Reject | See body of the report | No |
| 83.82 | Powerco Limited | INF-S21 | Retain as notified. | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| 81.338 | Kāinga Ora – Homes and Communities | INF-S21 | Retain as notified | Table B 1 | Accept | There are no submissions opposing or seeking amendments to this standard. | No |
| Definitions | | | | | | | |
| 81.99 | Kāinga Ora – Homes and Communities | Line | Amend definition: <u>Telecommunications Line</u> means line as defined in Section 5 of the Telecommunications Act 2001: means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and Includes— a. any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and b. any part of a line; and means line as defined in section 2 of the Electricity Act 1992: a. means works that are used or intended to be used for the conveyance of electricity. | 3.12.1 | Reject | See body of the report | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|---|------------------------|--|--|--------------------------|---|--------------------------------|
| 85.3 | Wellington Electricity Lines Limited | Line | Retain the definition as currently drafted. | Table B 1 | Accept | There are no amendments recommended to this definition | No |
| 81.101 ³⁰⁰ | Kāinga Ora – Homes and Communities | Maintenance and repair | Amend definition: Infrastructure Maintenance and repair means any work or activity necessary to continue the operation and / or functioning of existing infrastructure. It does not include upgrading. | 3.12.2 | Accept in part | See body of the report | Yes |
| 86.4 | KiwiRail Holdings Limited (KiwiRail) | Maintenance and repair | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.5 ³⁰¹ | Wellington Electricity Lines Limited | Maintenance and repair | Amend the definition as below: means any work, <u>replacement</u> , or activity necessary to continue the operation and / or functioning of existing infrastructure. It does not include upgrading. | 3.12.2 | Accept in part | See body of the report | Yes |
| 82.15 | Waka Kotahi NZ Transport Agency | Maintenance and repair | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.5 ³⁰² | Powerco Limited | Maintenance and repair | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 51.14 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Maintenance and repair | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.8 ³⁰³ | Transpower New Zealand Ltd | Maintenance and repair | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 121.6 | Radio New Zealand Limited | Maintenance and repair | Retain definition as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 216.6 | Queen Elizabeth the Second National Trust (QEII) | Maintenance and repair | Amend the definition of Maintenance and Repair as follows: "Maintenance and repair means any repair, work, or activity necessary to continue the operation and / or functioning of existing infrastructure, buildings, and structures. It does not include upgrading. | 3.12.2 | Reject | See body of the report | No |

³⁰⁰ Supported by Greater Wellington Regional Council [FS40.54]

³⁰¹ Supported by Radio New Zealand Ltd [FS60.40]

³⁰² Supported by Firstgas Ltd [FS63.6]

³⁰³ Supported by Firstgas Ltd [FS63.7]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|--|------------------------|--|--|--------------------------|----------------------------|--------------------------------|
| | | | <p>Amend permitted rules for maintenance activities that may affects indigenous biodiversity, so that they only apply to lawfully established existing infrastructure, buildings and structures and are within appropriate limits to protect and maintain indigenous biodiversity.</p> <p>Provide for maintenance of other existing infrastructure, buildings, and structures (that may not be lawfully established) subject to consenting requirements in situations where there are potential adverse effects on indigenous biodiversity.</p> | | | | |
| 225.62 | Royal Forest and Bird Protection Society | Maintenance and repair | <p>Amend the definition as follows:</p> <p>Maintenance and repair means any <u>repair</u>, work or activity necessary to continue the operation and / or functioning of existing infrastructure, <u>buildings and structures</u>. It does not include upgrading.</p> <p>Amend permitted rules for maintenance activities that may affects indigenous biodiversity, so that they only apply to lawfully established existing infrastructure, buildings and structures and are within appropriate limits to protect and maintain indigenous biodiversity.</p> <p>Provide for maintenance of other existing infrastructure, buildings and structures (that may not be lawfully established) subject to consenting requirements in situations where there are potential adverse effects on indigenous biodiversity.</p> | 3.12.2 | Reject | See body of the report | No |
| 81.128 ³⁰⁴ | Kāinga Ora – Homes and Communities | Pole | <p>Amend definition:</p> <p><u>National Grid transmission line Pole</u></p> <p>has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p>means a structure that supports conductors as part of a transmission line and that—</p> <p>a. has no more than 3 vertical supports; and</p> <p>b. is not a steel-lattice structure; and</p> <p>includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations</p> | 3.12.3 | Reject | See body of the report | Yes |
| 60.14 | Transpower New Zealand Ltd | Pole | Delete definition. | 3.12.3 | Accept | See body of the report | Yes |
| 51.15 ³⁰⁵ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, | Pole | <p>Amend definition as follows:</p> <p>Pole</p> <p><u>Poles for electricity transmission activities</u> has the same meaning as given in the Resource Management (National Environmental</p> | 3.12.3 | Reject | See body of the report | Yes |

³⁰⁴ Supported by Transpower New Zealand Ltd [FS04.17]

³⁰⁵ Supported by Transpower New Zealand Ltd [FS04.18]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|--------------------------------------|---------------------------------------|---|--|--------------------------|---|--------------------------------|
| | Vodafone New Zealand Limited | | Standards for Electricity Transmission Activities) Regulations 2009: means a structure that supports conductors as part of a transmission line and that— a. has no more than 3 vertical supports; and b. is not a steel-lattice structure; and includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations <u>Poles for telecommunications activities has the same meaning as given in the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016: means a pole, mast, lattice tower or similar structure of a kind that is able to be used (with or without modification) to support antennas</u> | | | | |
| 81.137 | Kāinga Ora – Homes and Communities | Regionally significant infrastructure | Retain definition as notified | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 86.7 | KiwiRail Holdings Limited (KiwiRail) | Regionally significant infrastructure | Retain as proposed. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 85.6 | Wellington Electricity Lines Limited | Regionally significant infrastructure | Amend the definition as below: d) facilities for the generation and/or transmission of electricity where it is supplied to the <u>local network</u> ; | 3.12.4 | Accept in part | See body of the report | Yes |
| FS04.19 | Transpower New Zealand Ltd | | <i>Oppose – Transpower has concerns the sought amendment would add confusion to the definition. Electricity transmission is undertaken by Transpower and this is supplied nationwide, including for example where lines may pass through a district but not necessarily supply electricity to it. The insertion of reference to 'local' potentially confuses the role provided by Transpower.</i> | | | | |
| 82.21 ³⁰⁶ | Waka Kotahi NZ Transport Agency | Regionally significant infrastructure | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.9 | Powerco Limited | Regionally significant infrastructure | Amend the definition of regionally significant infrastructure as follows: Means regionally significant infrastructure including: a. pipelines for the distribution or transmission of <u>natural or manufactured gas or petroleum</u> ; ... | 3.12.4 | Accept in part | See body of the report | Yes |
| 84.5 | Firstgas Limited | Regionally significant infrastructure | Retain as proposed | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |

³⁰⁶ Supported by Greater Wellington Regional Council [FS40.90]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|---|---------------------------------------|---|--|--------------------------|---|--------------------------------|
| 51.11 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Regionally significant infrastructure | Retain as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 60.15 | Transpower New Zealand Ltd | Regionally significant infrastructure | Retain | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 121.10 | Radio New Zealand Limited | Regionally significant infrastructure | Retain paragraph (h) of the definition as notified. | Table B 1 | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.69 ³⁰⁷ | Royal Forest and Bird Protection Society | Regionally significant infrastructure | means regionally significant infrastructure including: a. pipelines for the distribution or transmission of petroleum; b. the Gas Transmission Network c. the National Grid; d. facilities for the generation and/or transmission of electricity where it is supplied to the network; e. the local authority water supply network and water treatment plants; f. the local authority wastewater and stormwater networks, systems and wastewater treatment plants; g. the Strategic Transport Network, as identified in the operative Wellington Regional Land Transport Plan; and h. Radio New Zealand and NZME Radio Limited's radio transmission facilities at Titahi Bay, designation unique identifier: RNZ-01; and i. facilities and structures necessary for the operation of telecommunications and radio communications networks operated by network utility operators. | 3.12.4 | Reject | See body of the report | No |
| 51.18 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Telecommunication pole | Delete definition. Include the definition in the earlier definition of 'Pole' as per relief sought to that definition. | 3.12.3 | Reject | See body of the report | Yes |
| 81.168 | Kāinga Ora – Homes and Communities | Telecommunication pole | Retain definition as notified | 3.12.3 | Accept | See body of the report | No |
| 225.76 | Royal Forest and Bird Protection Society | Temporary infrastructure | Include a stated period of time in the definition or alternatively state the maximum duration within rules for these activities. | 3.12.5 | Reject | See body of the report | No |

³⁰⁷ Opposed by Powerco Limited [FS37.10]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|---|--------------------------|--|--|--------------------------|--|--------------------------------|
| 81.170 | Kāinga Ora – Homes and Communities | Temporary infrastructure | Retain definition as notified | Table B 1 | Accept | There are no recommended amendments to this definition | No |
| 83.11 | Powerco Limited | Temporary infrastructure | Retain as notified. | Table B 1 | Accept | There are no recommended amendments to this definition | No |
| 85.8 | Wellington Electricity Lines Limited | Temporary infrastructure | Retain the definition as currently drafted. | Table B 1 | Accept | There are no recommended amendments to this definition | No |
| 51.8 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Temporary infrastructure | Retain as notified. | Table B 1 | Accept | There are no recommended amendments to this definition | No |
| 81.174 ³⁰⁸ | Kāinga Ora – Homes and Communities | Tower | Amend definition: <u>National Grid transmission line Tower</u> has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: a. means a steel-lattice structure that supports conductors as part of a transmission line; and b. includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations. | 3.12.6 | Accept in part | See body of the report | Yes |
| 51.7 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Tower | Amend: <u>Electricity Transmission Tower</u> [...] | 3.12.6 | Accept | See body of the report | Yes |
| 81.179 | Kāinga Ora – Homes and Communities | Transmission Line | Retain definition as notified | n/a | Accept | Agree with submitter | No |
| 60.20 | Transpower New Zealand Ltd | Transmission Line | Retain | n/a | Accept | Agree with submitter | No |

³⁰⁸ Supported by Transpower New Zealand Ltd [FS04.20]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|----------------------|---|-----------|---|--|--------------------------|---|--------------------------------|
| 81.181 | Kāinga Ora – Homes and Communities | Trenching | Retain definition as notified | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.12 ³⁰⁹ | Powerco Limited | Trenching | Amend the definition of Trenching as follows: Means the excavation of trenches for underground infrastructure, including the Three Waters Network, communications, electricity and gas transmission and distribution, and any other network utilities. | 3.12.7 | Accept in part | See body of the report | Yes |
| 51.13 ³¹⁰ | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Trenching | Amend definition as follows: Trenching means the excavation of trenches for underground infrastructure, including the Three Waters Network, <u>telecommunications and radio</u> communications, electricity and gas transmission and distribution, and any other network utilities. | 3.12.7 | Accept | See body of the report | Yes |
| 51.6 | Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited | Upgrading | Delete the definition. | 3.12.8 | Reject | See body of the report | No |
| 60.21 | Transpower New Zealand Ltd | Upgrading | Retain. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 83.13 ³¹¹ | Powerco Limited | Upgrading | Amend the definition of upgrading as follows: As it applies to infrastructure, means the improvement, <u>relocation, replacement,</u> or increase in carrying capacity, operational efficiency, <u>size, pressure,</u> security or safety of existing infrastructure, but excludes maintenance and repair. | 3.12.8 | Accept in part | See body of the report | Yes |
| 86.10 | KiwiRail Holdings Limited | Upgrading | Retain as proposed. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 84.31 | Firstgas Limited | Upgrading | Retain as proposed. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 81.182 | Kāinga Ora – Homes and Communities | Upgrading | Retain definition as notified. | n/a | Accept in part | Accept in part, subject to amendments made in | No |

³⁰⁹ Supported by WELL [FS28.10]

³¹⁰ Supported by Radio New Zealand Ltd [FS60.42]

³¹¹ Supported by Transpower New Zealand Ltd [FS04.23], Waka Kotahi NZ Transport Agency [FS36.11], Radio New Zealand Ltd [FS60.43] and Firstgas Ltd [FS63.15]

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to PDP? |
|-----------------------|--|-----------|--|--|--------------------------|---|--------------------------------|
| | | | | | | response to other submissions | |
| 121.12 | Radio New Zealand Limited | Upgrading | Retain definition as notified. | n/a | Accept in part | Accept in part, subject to amendments made in response to other submissions | No |
| 225.77 ³¹² | Royal Forest and Bird Protection Society | Upgrading | Amend the definition as follows: As it applies to infrastructure, means the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure, <u>provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity, and does not increase footprint of the infrastructure.</u> 'Upgrade', but excludes maintenance and repair. | 3.12.8 | Reject | See body of the report | No |

³¹² Opposed by Radio New Zealand Ltd [FS60.44]

Appendix C. Section 32AA Evaluation

C1. Overview and purpose

This evaluation is undertaken in accordance with section 32AA of the RMA. It examines the appropriateness of the recommended amendments to the objectives, policies and rules for the INF-Infrastructure chapter following the consideration of submissions received on the PDP.

This further evaluation should be read in conjunction with Part A – Overview and Part B: Infrastructure of the Section 32 Report prepared for the development of the PDP.

C2. Recommended amendments

A range of amendments are recommended to the INF – Infrastructure, Definitions, and FC – Functioning City chapters as a result of submissions received on the Plan. The recommended amendments are shown in Appendix A and summarised in the executive summary to the main report.

Significant changes are recommended to the policies regarding the National Grid, to better give effect to the NPS-ET. Significant changes are also recommended to the transport infrastructure provisions to better provide for residential intensification under the NPS-UD and ensure the safe and efficient functioning of the transport network. The provisions relating to connections to roads are also recommended to be relocated to the TR – Transport chapter. Provisions managing activities in wetlands are recommended to be deleted.

Recommended amendments to rules include a new rule for upgrades to infrastructure within the root protection area of a Notable Tree as a permitted activity, deletion of some notification preclusion clauses, making paths within SNAs at least a controlled activity, and clarification of some compliance requirements.

Recommended amendments to standards, other than to transport related standards, generally clarify the application of the standards.

Amendments to definitions are also recommended to support the recommendations to the chapter provisions.

C3. Statutory Tests

The Council must ensure that prior to adopting an objective, policy, rule or other method in a district plan, that the proposed provisions meet the requirements of the RMA through an evaluation of matters outlined in Section 32.

In achieving the purpose of the RMA, the Council must carry out a further evaluation under section 32AA if changes are made to a proposal as a result of the submissions and hearings process. This evaluation must cover all the matters in sections 32(1)-(4).

Objectives

The objectives are to be examined in relation to the extent to which they are the most appropriate way to achieve the purpose of the RMA.¹ For the purposes of evaluation under section 32AA the following criteria form the basis for assessing the appropriateness of the proposed objectives:

- Relevance;
- Usefulness;
- Reasonableness; and
- Achievability.

Provisions

Each provision is to be examined as to whether it is the most appropriate method for achieving the objectives. For a proposed plan, the provisions are defined as the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan.²

The examination must include assessing the efficiency and effectiveness (including costs and benefits of the environmental, economic, social, and cultural effects, quantified if practicable, and the risk of acting or not acting) and a summary of the reasons for deciding the provisions.

C4. Evaluation of Recommended Amendments to Objectives

FC-O2, and INF-O3, INF-O4 and INF-O5 are recommended to be amended as set out in Appendix A. The following tables provide an evaluation of the recommended amendments to the objectives.

Table C 1: Recommended Amendment to FC-O2

| | |
|-------------------|---|
| Relevance | Addresses a relevant resource management issue The amendment better recognises the significance of the National Grid at a national level, and therefore better addresses the resource management issue of the protection of regionally significant infrastructure. |
| | Assist the Council to undertake its functions under s31 The amendment better recognises the significance of the National Grid at a national level, and therefore better addresses the resource management issue of the protection of regionally significant infrastructure. |
| | Gives effect to higher level documents The amendment better gives effect to the NPS-ET, which requires at Policy 1 that decision makers recognise and provide for the national, regional and local benefits of electricity transmission. |
| Usefulness | Guides decision-making The amendment better guides decision making as officers will be directed to take account of the national significance of the National Grid when making decision on any resource consents under the NES-ETA or the Plan. |
| | Meets best practice for objectives The amendment clarifies the outcome sought by the strategic objective, and therefore moves it closer to best practice in terms of Plan objectives. |

¹ RMA s32(1)(a)

² RMS s32(6)(a)

| | |
|-----------------------|--|
| Reasonableness | Will not impose unjustifiably high costs on the community / parts of the community No additional costs on the community or parts of the community will be generated by the recommended amendment. |
| | Acceptable level of uncertainty and risk There is no additional uncertainty or risk associated with the recommended amendment. |
| Achievability | Consistent with identified tangata whenua and community outcomes The amendment does not affect the consistency of the strategic objective with identified tangata whenua and community outcomes. |
| | Realistically able to be achieved within the Council's powers, skills and resources The Council processes consents under the Plan and the NES-ETA, and therefore the recognition of the national significance of the National Grid can be achieved through the Council's powers, skills and resources. |
| Conclusion | The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management. In my opinion, the amendment to FC-O2 is more appropriate in achieving the purpose of the RMA than the notified objective. In particular, I consider that the amendment will better reflect Council's obligations to give effect to the NPS-ET and to provide clarity of implementation. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act. |

Table C 2: Recommended Amendment to INF-O3

| | |
|-----------------------|---|
| Relevance | Addresses a relevant resource management issue The coordination of existing development and planned growth (Issue 7) is identified as a resource management issues in the Section 32 Evaluation Report Part B – Infrastructure. The amendment to 'plan-enabled' better identifies the intended meaning of the objective in relation to integration with subdivision, use and development. |
| | Assist the Council to undertake its functions under s31 The amendment will better assist the Council in undertaking its functions, including decisions on resource consents for infrastructure, by clarifying the subdivision, use and development that is intended to be integrated with infrastructure. |
| | Gives effect to higher level documents The amendment better gives effect to the NPS-UD which uses and defines the term 'plan-enabled' in relation to development capacity. |
| Usefulness | Guides decision-making The amendment, in conjunction with the NPS-UD, will better guide decision making by clarifying the subdivision, use and development that is intended to be integrated with infrastructure delivery. |
| | Meets best practice for objectives The amendment to the objective clarify the wording and the outcome sought, and therefore will improve interpretation. The amendment therefore meets best practice. |
| Reasonableness | Will not impose unjustifiably high costs on the community / parts of the community |

| | |
|----------------------|--|
| | No additional costs on the community or parts of the community will be generated by the recommended amendment. |
| | Acceptable level of uncertainty and risk There is no additional uncertainty or risk associated with the recommended amendment. |
| Achievability | Consistent with identified tangata whenua and community outcomes The amendment does not affect the consistency of the objective with identified tangata whenua and community outcomes. |
| | Realistically able to be achieved within the Council's powers, skills and resources The Council both delivers infrastructure as well as makes decisions on resource consents for subdivision, use and development. The amended objective is therefore realistically able to be achieved. |
| Conclusion | The recommended amended objective is the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management. |

Table C 3: Recommended Amendments to Objective INF-O4

| | |
|-----------------------|--|
| Relevance | Addresses a relevant resource management issue The safety of the transport network is identified in Issue 2 in the Section 32 Evaluation Report Part B – Infrastructure. The amendments better respond to this issue. |
| | Assist the Council to undertake its functions under s31 The amendments will better assist the Council in undertaking its functions, including decisions on resource consents for transport infrastructure, by clarifying the intended outcome sought by the objective. |
| | Gives effect to higher level documents The amendments better give effect to Objective 22 of the RPS, which seeks 'A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network. |
| Usefulness | Guides decision-making The amendments will better guide decision making by providing emphasis on the safety and connectiveness of the transport network, consistent with the RPS Objective 22. |
| | Meets best practice for objectives The amendments to the objective clarify the wording and the outcome sought, and therefore will improve interpretation. The amendments therefore meet best practice. |
| Reasonableness | Will not impose unjustifiably high costs on the community / parts of the community No additional costs on the community or parts of the community will be generated by the recommended amendment. |
| | Acceptable level of uncertainty and risk There is no additional uncertainty or risk associated with the recommended amendments. |
| Achievability | Consistent with identified tangata whenua and community outcomes The amendments do not affect the consistency of the strategic objective with identified tangata whenua and community outcomes. |

| | |
|-------------------|--|
| | <p>Realistically able to be achieved within the Council's powers, skills and resources</p> <p>The Council both delivers transport infrastructure as well as makes decisions on resource consents for subdivision, use and development which may involve transport infrastructure. The amended objective is therefore realistically able to be achieved.</p> |
| Conclusion | <p>The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management.</p> |

Table C 4: Recommended Amendments to Objective INF-O5

| | |
|-----------------------|--|
| Relevance | <p>Addresses a relevant resource management issue</p> <p>The objective responds to resource management issues 3 and 4 in the Section 32 Evaluation Report Part B – Infrastructure, relating to adverse effects on the environment and areas or sites with identified significant values. The amendments better respond to these issues.</p> |
| | <p>Assist the Council to undertake its functions under s31</p> <p>The amendments will better assist the Council in undertaking its functions, including decisions on resource consents for transport infrastructure, by clarifying the intended outcome sought by the objective.</p> |
| | <p>Gives effect to higher level documents</p> <p>The amendments better relate to Part 2 of the RMA by specifically referring to adverse effects on the environment, and better gives effect to RPS Policy 24 by making clear that it is not just those values identified in the Plan that must be protected, but may include other values not yet identified.</p> |
| Usefulness | <p>Guides decision-making</p> <p>The amendment will better guide decision making by clarifying the intended outcome of the objective.</p> |
| | <p>Meets best practice for objectives</p> <p>The amendments to the objective clarify the wording and the outcome sought, and therefore will improve interpretation. The amendments therefore meet best practice.</p> |
| Reasonableness | <p>Will not impose unjustifiably high costs on the community / parts of the community</p> <p>A small level of additional costs on the infrastructure providers may be generated by the recommended amendment, due to the need to identify indigenous biodiversity values through resource consent processes.</p> |
| | <p>Acceptable level of uncertainty and risk</p> <p>There is an acceptable level of uncertainty or risk associated with the recommended amendments.</p> |
| Achievability | <p>Consistent with identified tangata whenua and community outcomes</p> <p>The amendments do not affect the consistency of the strategic objective with identified tangata whenua and community outcomes.</p> |
| | <p>Realistically able to be achieved within the Council's powers, skills and resources</p> <p>The recommended amendments do not affect the ability of the objective to be achieved.</p> |

| | |
|-------------------|---|
| Conclusion | The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management. |
|-------------------|---|

Overall, the recommended amendments proposed to the objectives provide greater clarity of the outcomes sought to be achieved. For the purposes of sections 32 and 32AA, I consider that the revised objectives are the most appropriate way of achieving the purpose of the RMA.

C5. Evaluation of Policies and Rules

I have assessed how the recommended changes to the policies, rules and other methods are the most appropriate to implement the objectives below. In undertaking this assessment, I have evaluated the recommended amendments against the provisions as notified.

Efficiency and Effectiveness of the Provisions

I have assessed the efficiency and effectiveness of the recommended amended provisions in achieving the objectives, including identification and assessment of the costs and benefits anticipated from the implementation of the provisions in the tables below.

Table C 5: Assessment of efficiency and effectiveness – Transport infrastructure

| Recommended Amendments to Provisions: |
|--|
| <p>The recommended amendments relating to the relationship with and provisions for overlays include:</p> <ul style="list-style-type: none"> • Amending INF-P13 to delete the phrase 'as far as practicable', including additional matters in clause 6.a, providing for some no-exit roads in clause 6.b; • Transferring INF-P14 to the TR – Transport chapter; • Deleting the s88 requirements for road safety audits; • Amending INF-R22 to require compliance with INF-S14, delete the requirement to comply with INF-S8, and include reference to a new specific standard for these activities; • Transferring INF-R23 to the TR – Transport chapter; • Amend INF-S8 to exclude ancillary transport network infrastructure; • Amending INF-S23 INF-Table 1 to; provide for no-exit roads in some situations; clarifying clause 4; including the Waka Kotahi Pedestrian Planning and Design Guide in clause 5; setting a maximum gradient of ten percent for all roads; deleting requirements for curves in roads (and deleting the associated INF-Table 3; including a standards relating to the zoning of roads; clarifying clause 9; and deleting the exclusion of road gardens in clause 10.e; • Amending INF-Table 1 to provide for more roading typologies with reduced minimum legal widths; • Amending INF-Table 2 to clarify and include additional setback requirements; • Amending INF-S24 to simplify the standard for car parks in roads, and deleting the associated INF-Table 4, INF-Figure 1, INF-Figure 2 and INF-Figure 3; • Amending INF-S25 to include a clause relating to intersection separate distances (and a new associated table), maximum approaches to intersections (and replacing the associated INF-Figure 4), and precluding roundabouts and signalisation of intersections; • Amending INF-Table 3 to provide a simplified requirement for sight distances at intersections; • Transferring the requirements of INF-S26 and the associated INF-Figure 5, INF-Table 6 to the TR-Transport chapter; |

- Adding a new specific standard for ancillary transport network infrastructure;
- Amending INF-S27-2 to include reference to the NZ Cycle Trail Design Guide (2019) for paths associated with Ngā Haerenga New Zealand Cycle Trails;
- Amend the 'ancillary transport network infrastructure' definition to include micro-mobility lockup, and limit its application to infrastructure installed by a network utility operator;
- Amend the 'Annual average daily traffic movement' definition to delete 'movement';
- Add a new definition for 'carriageway';
- Amend the definition of 'Planned network upgrade' to include the Wellington Regional Public Transport Plan;
- Amendments to broaden the definition of 'Traffic sign';
- Amend the zone chapter setback standards to include a setback from rail corridors.

| Costs | Benefits |
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| <ul style="list-style-type: none"> • The amendments to INF-S22 and the associated new standard specific to ancillary transport network infrastructure may have some potential safety and amenity effects; however, given the standards that need to be complied with, I consider that any effects will be acceptable; • The setback from the rail corridor will have a small additional land requirement compared to the general side yard requirement, and therefore will result in environmental and economic costs through less efficient use of land; • The provision for no-exit roads in some situations will have some social costs through a potential reduction in connectedness of the roading environment; however, as these are limited to 100m in length, these costs will be low; • Some of the amended standards for roads will have some additional environmental and economic costs (such as a maximum gradient of 10%); however, overall I consider that these costs will be low and offset by the enabling of narrower roads in some circumstances. | <ul style="list-style-type: none"> • The transport provisions in the INF – Infrastructure chapter have been subject to a review by a third part to ensure they are appropriate, and as such, as a package I consider that they will better manage the development of transport infrastructure and ensure the safety and efficiency of that infrastructure; • The amendments to INF-P13 better set out the considerations for development of transport infrastructure, and therefore have Plan interpretation and administration benefits; • The transfer of provisions related to roads has benefits for Plan users, by ensuring that the relevant considerations for vehicle access to sites is contained within the same chapter; • Deleting the requirements for road safety audits and the associated additional policy clause in INF-P13 will have economic benefits for consent applicants, by ensuring that these are undertaken at an appropriate stage of design; • The amendments to INF-S22 and the associated new standard specific to ancillary transport network infrastructure will have significant benefits in enabling this infrastructure; • The amendments to the standards for roads will have environmental benefits through enabling narrower roads in some situations, and therefore reducing the land requirement for transport infrastructure, as well as having social benefits through generally slower speed environments while also appropriately providing for pedestrians and cyclists; |

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| | <ul style="list-style-type: none"> • The deletion of the standards for curves in roads will have financial benefits for applicants through ensuring this engineering requirement is considered at an appropriate stage of design; • The amendments to transport related definitions will have interpretation and administration benefits through clarifying these terms; • Including a setback from rail corridors will ensure that there is sufficient space for maintenance of buildings adjacent to this infrastructure, therefore reducing compliance and administrative costs for these properties, while also having benefits for KiwiRail through a reduction in the potential for adverse effects on the rail corridor from adjacent activities. I consider that this will also better give effect to Policy 8 of the RPS. |
| Efficiency | The recommended amendments will have significant social, environmental, and economic benefits. Some economic and environmental costs would also be likely, primarily through some additional requirements to meet the recommended standards. I consider that the benefits would far outweigh the costs. Therefore, the recommended amendments will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving TR-O4. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O4. | |

Table C 6: Assessment of efficiency and effectiveness – National Grid

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| Recommended Amendments to Provisions: |
| <p>The recommended amendment relating to the relationship with and provisions for overlays include:</p> <ul style="list-style-type: none"> • Splitting and reordering of INF-P5 so that the protection of the National Grid is dealt with in a separate policy, and referring to 'use and development' as well as subdivision; • Adding a new policy to address the adverse effects on the National Grid separately from other infrastructure; • Adding a new policy to address the operation, maintenance and repair of the National Grid separately from other infrastructure; • Including reference to SCHED11 - Coastal High Natural Character Areas in INF-P7; • Amending INF-R7 and INF-R8 to refer to transmission lines 'at or' over 110kV; • Clarifying INF-R25 through an additional note so that it does not apply to the infrastructure providers who own and operate the infrastructure; • Amending INF-R41 to refer to 'new' infrastructure, and include ancillary access tracks; • Replacing the definition of the National Grid with the definition from the NPS-ET; and |

| <ul style="list-style-type: none"> Amend the definition of 'National Grid Corridor' to 'National Grid Subdivision Corridor'. | |
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| Costs | Benefits |
| <ul style="list-style-type: none"> There may be some additional administrative costs associated with including reference to SCHED11 - Coastal High Natural Character Areas in INF-P7, as this will require consideration of these areas through the development of National Grid assets. Given such activities would be discretionary activities under the Plan, I consider that these costs will be low. | <ul style="list-style-type: none"> I consider that the recommended amendments to the policy framework for the National Grid will better give effect to the NPS-ET, specifically that: <ul style="list-style-type: none"> The new policy to address operation, maintenance and repair will better give effect to Policy 2 and Policy 5; The new policy to address the adverse effects on the National Grid separately from other infrastructure will better give effect to Policy 10; Including reference to SCHED11 - Coastal High Natural Character Areas in INF-P7 will better give effect to Policy 8, as well as Policy 13 of the NZCPS; Including 'use and development' in the policies better gives effect to Policy 8 of the RPS; Amending INF-R7 and INF-R8 to refer to transmission lines 'at or' over 110kV will have Plan interpretation and administration benefits by clarifying the application of the rules; The amendments to INF-R41 will clarify the application of the rule, with consequential administrative and compliance benefits; Replacing the definition of the National Grid with the definition from the NPS-ET and amending the definition of 'National Grid Corridor' to 'National Grid Subdivision Corridor' will aid interpretation of the Plan provisions, and will therefore have implementation and administration benefits; The amendment to INF-R25 has benefits for the operators of the infrastructure covered by the relevant overlays, by clarifying that they do not need to comply with the rules in relation to their own infrastructure. |
| Efficiency | The recommended amendments will have benefits particularly through better giving effect to higher order documents, while having few identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O5. |

Summary

The recommended amendments provide the most appropriate method for achieving INF-O1, INF-O2, INF-O3 and INF-O5.

Table C 7: Assessment of efficiency and effectiveness – Indigenous biodiversity

| Recommended Amendments to Provisions: | |
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| <p>The recommended amendments relating to indigenous biodiversity include:</p> <ul style="list-style-type: none"> • Amending INF-P4 to remove the prefix 'identified' in relation to the indigenous biodiversity values to be protect within SNAs; • Removing regulation of activities within wetlands; • Amending INF-R9 to make new, extensions to and upgrading of walkways, cycleways and shared paths at least a controlled activity within SNAs; and • Amending INF-R43 to refer to 'new' infrastructure. | |
| Costs | Benefits |
| <ul style="list-style-type: none"> • Requiring controlled activity resource consents for paths within SNAs will have economic costs through additional administrative, compliance and financial costs for the statutory bodies undertaking this work. Given the controlled activity status, these costs will be relatively low; • There will be additional financial and administrative costs for infrastructure providers in relation to the amendment to INF-P4, due to the need to engage ecological advice to determine the values of any SNAs. This additional cost will be low, as such advice is already required to be sought through INF-P20. | <ul style="list-style-type: none"> • The removal of provisions regulating wetlands will have significant compliance and administrative costs for both infrastructure providers and the Council through avoidance of duplication of regulation; • The amendments to INF-P4 better give effect to RPS Policy 24 by making clear that it is not just those values identified in the Plan that must be protected, but may include other values not yet identified; • Requiring controlled activity resource consents for paths within SNAs will have some environmental benefits through ensuring that such activities are managed in accordance with appropriate conditions on those consents. I consider the amendment better gives effect to Policy 24 of the RPS by ensuring that any paths will be appropriate; • The recommended amendment to INF-R43 clarifies the rule, and therefore will have Plan interpretation benefits. |
| Efficiency | The recommended amendments will have benefits, while having few identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O5. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O5. | |

Table C 8: Assessment of efficiency and effectiveness – Relationship with and provisions for overlays

| Recommended Amendments to Provisions: | |
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| <p>The recommended amendment relating to the relationship with and provisions for overlays include:</p> <ul style="list-style-type: none"> • Replacing reference to 'overlays' with 'specified overlays' in most instances; • Including reference to the criteria in TREE-P5 in INF-P19; • Amending INF-P23-3 to refer to the resilience of infrastructure rather than vulnerability; • Amending INF-R8 to refer specifically to Flood Hazard and Coastal Hazard overlays, and differentiate requirements between low, and high and medium hazard areas; • Adding a permitted activity rule for upgrading of infrastructure within the root protection area of a tree listed in SCHED5 - Notable Trees, and amendments to INF-R40 to removing upgrading activities; and • Amend INF-S19 to be consistent with the recommended amendments to TREE-S1 set out in the section 42A report authored by Ms Rachlin on the TREE – Notable Trees chapter, and include a note clarifying the relationship with the Electricity (Hazards from Trees) Regulations 2003; | |
| Costs | Benefits |
| <ul style="list-style-type: none"> • The amendment to INF-R8 may result in small displacements of flood and coastal inundation water. As the amendment only allows for up to 10 square meters within Low and Medium Hazard areas, this displacement will be minimal, and unlikely to have any consequential adverse effects; • The new permitted activity rule for upgrade activities in relation to Notable Trees may result in some adverse effects on those trees; however, given the need to comply with relevant standards that are the same as those in the TREE – Notable Trees chapters, I consider that these effects will be acceptable. | <ul style="list-style-type: none"> • The replacement of the reference to 'overlays' in the INF-Infrastructure chapter with 'specified overlays' provides clarity to Plan users as to the overlays that are relevant to the implementation of the respective provisions, and therefore will have compliance and administrative benefits; • The reference to resilience of infrastructure rather than vulnerability in INF-P23 will have interpretation and implementation benefits, as professional engineers better understand this term; • The amendments to INF-R8 will enable some small buildings and structures to be located within Low and Medium Hazard Areas, resulting in compliance and administrative benefits for landowners and the Council through a reduced likelihood of requiring consents for small structures; • The new permitted activity rule for upgrade activities in relation to Notable Trees will have compliance and administrative benefits for infrastructure providers, through enabling these activities where the relevant standards are met; • The recommended cross-reference to TREE-P5 in INF-P19 will ensure these criteria will be taken into account for the removal of any notable trees, which will have environmental benefits. The cross-reference also provides policy support for |

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| | <p>associated standards, and therefore also provides Plan interpretation benefits;</p> <ul style="list-style-type: none"> The recommended amendments to INF-S19 provides consistency across the Plan, as well as clarifying the application of the standard and therefore will have interpretation and implementation benefits. |
| Efficiency | The recommended amendments will have benefits, while having few identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O5. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O5. | |

Table C 9: Assessment of efficiency and effectiveness – Gas transmission pipeline

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| Recommended Amendments to Provisions: | |
| <p>The recommended amendment relating to gas transmission pipeline infrastructure provisions include:</p> <ul style="list-style-type: none"> Amending INF-P25 to include reference to habitable buildings; and Clarifying INF-R25 through an additional note that it does not apply to the infrastructure providers who own and operate the infrastructure. | |
| Costs | Benefits |
| <ul style="list-style-type: none"> There are no identified costs. | <ul style="list-style-type: none"> The reference to habitable buildings in INF-P25 clarifies the relationship with relevant zone chapter rules, and therefore has Plan interpretation and administrative benefits; The amendment to INF-R25 has benefits for the operators of the infrastructure covered by the relevant overlays, by clarifying that they do not need to comply with the rules in relation to their own infrastructure. |
| Efficiency | The recommended amendments will have benefits, while having no identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O1, INF-O3 and INF-O2. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O1, INF-O3 and INF-O2. | |

Table C 10: Assessment of efficiency and effectiveness – Walkways, cycleways and shared paths

| Recommended Amendments to Provisions: | |
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| <p>The recommended amendment relating to walkways, cycleways and shared paths provisions include:</p> <ul style="list-style-type: none"> • Amending INF-R6, INF-R7 and INF-R8 to exclude walkways, cycleways and shared paths from the rules; • Amending INF-R9 to clarify that it applies to new, extensions to and upgrading of walkways, cycleways and shared paths; • Correcting the wording of the clauses in standards relating to earthworks for walkways, cycleways and shared paths; • Amending INF-S18 to clarify the requirements for activities relating to walkways, cycleways and shared paths, and add a note relating to the NES-ETA. • Amending ECO-R1, ECO-R4, CE-R1, CE-R2 and CE-S1 to delete reference to public walking or cycling tracks. | |
| Costs | Benefits |
| <ul style="list-style-type: none"> • There are no identified costs. | <ul style="list-style-type: none"> • The recommended amendments clarify the applicability of these rules and standards to walkways, cycleways and shared paths. These amendments will improve interpretation of the Plan, and therefore reduce compliance and administrative costs; • The deletion of the provisions in the overlay chapters clarifies and simplifies the Plan framework in relation to these activities. |
| Efficiency | The recommended amendments will have benefits, while having no identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O5. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O5. | |

Table C 11: Assessment of efficiency and effectiveness – General infrastructure

| Recommended Amendments to Provisions: |
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| <p>The recommended amendment relating to general infrastructure provisions include:</p> <ul style="list-style-type: none"> • Amendments to INF-P1-4 to include the word 'potable', INF-P2 to include the word 'resilience', and INF-P3 to refer to 'plan-enabled'; • Amendments to INF-P4 to refer to 'associated' earthworks, amend clause two to clarify that it relates to the upgrading of infrastructure and incorporation of the phrase 'planned urban built environment', and amend clause three to differentiate whether the values and characteristics of overlays to be protected are included in the policy with the prefix 'identified' or not; • Amending the title of INF-P8 to 'Potentially acceptable infrastructure', clarifying that it does not apply to the National Grid, and clarifying that it the matters listed are also considered in relation to infrastructure within overlay areas; • Reordering some wording in INF-P9-1.c; • Amending INF-P11 to clarify the standards and guidelines that are relevant; |

- Amending INF-P27 to refer to 'official' signs;
- Deleting the notification preclusion statements from INF-R1-2 and INF-R25-3;
- Amending INF-R2 to clarify the external standards that must be complied with;
- Amending headings of INF-R3 and INF-R5 to refer to 'Infrastructure maintenance and repair...';
- Remove the limitation of trenching to activities relating to underground infrastructure;
- Amendments to INF-S1 to simplify clauses three, six and 10;
- Amendments to INF-S7 to clarify that the area limits apply to the face area of antennas, and increase the face area to 1.5 square metres in some zones;
- Amend INF-S13 to clarify that it relates to above ground infrastructure;
- Amendments to INF-S14 to provide for directional drilling and augured holes, allow for trenching except for within 1.5 of the foundation of a building or structure, and exclude the need for maintenance and repair works within the formed width of the road to comply with the standard;
- Amending INF-S16 to clarify the requirements for earthworks;
- Amend the definition of 'Maintenance and repair' to clarify that it applies to infrastructure, and include replacement and renewal in some instances;
- Amend the definition of 'Pole' to include poles for telecommunication activities, and consequently delete the definition for 'telecommunication pole';
- Amend the definition of 'Regionally significant infrastructure' to include pipelines for the distribution of natural or manufactured gas;
- Amend the definition of 'tower' to instead relate to 'Electricity transmission tower';
- Amendment to the definition of 'Trenching' to remove the limitation to underground infrastructure and include telecommunication and radio communication infrastructure, and clarify that it relates to temporary excavations that are reinstated upon completion; and
- Amend the definition of 'Upgrading' to specify that it includes relocation and replacement, and changes to size and pressure.

| Costs | Benefits |
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| <ul style="list-style-type: none"> • The deletion of the notification preclusion statements in INF-R1-2 and INF-R25-3 may result in economic and administrative costs through public notification processes; however, as this will be decided through section 95A of the RMA I consider that the risk of this is negligible. | <ul style="list-style-type: none"> • The recommended amendments to the policies provide clarity of these provisions, and therefore will have Plan interpretation and implementation benefits; • The deletion of the notification preclusion statements in INF-R1-2 and INF-R25-3 will ensure that any relevant activities that generate more than minor adverse effects on the wider environment will be publicly notified, resulting in social and cultural benefits through enabling public consultation processes; • The amendments to the rules and standards are recommended to provide clarity and/or simplify the provisions. These will have economic benefits through reduced administrative costs due to easier Plan interpretation and implementation; • The amendments to the earthworks standards relating to providing for trenching, directional drilling, and augured holes will have economic benefits through better providing for these activities to occur |

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| | without requiring a resource consent, with consequential administrative and compliance benefits. |
| Efficiency | The recommended amendments will have significant benefits for Plan interpretation and implementation, while having few identified costs, and therefore will be more efficient than the notified provisions. |
| Effectiveness | The recommended amendments provide greater clarity for the provisions, and therefore will be easier to interpret and implement and more effective in achieving INF-O5. |
| Summary | |
| The recommended amendments provide the most appropriate method for achieving INF-O3 and INF-O5. | |

Overall, taking into account the assessment above, I consider the recommended amendments to the policies and rules to be more efficient and effective in achieving the objectives than the notified provisions.

Adequacy of Information and Risk of Acting or Not Acting

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Submissions have raised a number of matters that need to be addressed, including to provide clarity to the infrastructure-related provisions of the PDP. If no action is taken and the PDP is retained as notified, it could cause confusion and may result in a lack of consistent interpretation of the PDP and increased costs in terms of time and money required by Council staff to process resource consents.

Submissions also seek to amend the PDP so it better achieves the purpose of the RMA, including giving better effect to higher order documents. The recommended amendments address this matter and assist in making the provisions efficient and effective in achieving the objectives. The risk in not acting is that the provisions do not effectively or efficiently achieve the objectives.

After reviewing the infrastructure provisions of the PDP and considering the submissions on these provisions, I consider there is sufficient information on which to base the recommended revised strategic objective, objectives, policies, standards, rules and definitions.

C6. Conclusion

I have evaluated the recommended amendments to objectives to determine the extent to which they are the most appropriate way of achieving the purpose of the RMA where there is necessary, and otherwise to give effect to higher order planning documents. I have also evaluated the recommended amendments to the proposed provisions, including the efficiency and effectiveness of the provisions in achieving the proposed objectives. I consider the proposed objectives as recommended to be amended are an appropriate way of achieving the purpose of the RMA and the recommended changes to provisions are the most appropriate means of achieving the objectives.

Appendix D. Report Author's Qualifications and Experience

My name is Rory McLaren Smeaton.

I hold the following qualifications:

- Master of Planning Practice (First Class Honours) (University of Auckland);
- Postgraduate Diploma in Science in Geography (with Distinction) (University of Canterbury);
and
- Bachelor of Science in Geography (University of Canterbury).

I am a full member of the New Zealand Planning Institute. I have nine years' experience working as a planner for local and central government organisations, and a multi-disciplinary consultancy.

I have been employed by the Porirua City Council since April 2020 as a Senior Policy Planner within the Environment and City Planning Team. My work at PCC has included finalising PDP chapters and preparing the associated section 32 reports, summarising submissions, and preparing section 42A reports.