

ENERGY AND INFRASTRUCTURE

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1 Scope of Report

- [1] This Recommendation Report relates to the Energy and Infrastructure chapter of the PDP and contains the Hearing Panel's recommendations to Council on the submissions and further submissions received on that chapter.
- [2] The Hearing Panel members for the Energy and Infrastructure chapter were:
- Andrew Wills
 - Nicole Reid
 - Rob van Voorthuysen (Chair)
 - Yvette Couch-Lewis
- [3] The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for this topic were:
- Energy and Infrastructure, 23 August 2021, Vicki Barker
 - Energy and Infrastructure, 26 October 2021, Vicki Barker
- [4] The Hearing Panel's recommended amendments to the notified provisions of the Energy and Infrastructure chapter are set out in Appendix 1. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.
- [5] The Hearing Panel's recommended amendments to the notified planning maps are also set out, in narrative form, in Appendix 1, including any amendments recommended by the Section 42A Report author that we have adopted. Significant changes are also illustrated using 'screen shots' from the Council's on-line mapping tool, where appropriate.
- [6] We note that some of the numbering of individual clauses in the rule and rule requirement provisions will need to be consequentially amended and not all such amendments are shown in Appendix 1. We understand that will occur in the amended version of the entire PDP that will accompany the release of all of the Recommendation Reports.
- [7] Readers should also note that we have, at their request, amended all references to 'Trustpower' to 'Manawa Energy'.
- [8] Further submitters are not listed in the tables in this Recommendation Report because further submissions are either accepted or rejected in conformance with our recommendations on the original submissions to which they relate.

2 Hearing and Submitters Heard

- [9] The hearing for the Energy and Infrastructure chapter was held on Thursday 23 and Friday 24 September 2021. The submitters who appeared at the hearing are listed below, together with an identification of whether they were an original submitter, a further submitter, or both.

Sub #	Submitter	Original	Further
DPR-0101	Chorus NZ Limited, Spark NZ Trading Limited & Vodafone NZ Limited	✓	✓
DPR-0353	Horticulture New Zealand	✓	✓

Sub #	Submitter	Original	Further
DPR-0367	Orion New Zealand Limited ¹	✓	✓
DPR-0371	Christchurch International Airport Limited	✓	✓
DPR-0422	Federated Farmers of New Zealand	✓	✓
DPR-0441	Manawa Energy Limited	✓	✓
DPR-0446	Transpower	✓	✓

[10] Some of the submitters were represented by counsel or had expert witnesses appear on their behalf. The counsel and witnesses we heard from are listed in Appendix 2. Copies of all the legal submissions and evidence (expert and non-expert) received are held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report.

[11] We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.

3 Sub-topic Recommendations

[12] In this part of the Recommendation Report we assess the submissions by sub-topic, using the same headings as the initial Section 42A Report.

[13] The Energy and Infrastructure Chapter of the PDP is subject to a number of quite specific and directive superior instruments. In that regard we have been particularly mindful of the need to give effect to the National Policy Statement for Electricity Transmission 2008 (NPSET) and the National Policy Statement - Renewable Electricity Generation (NPS-REG). We have had similar regard to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) and the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF).

[14] Having said that, we consider that ideally the PDP should not duplicate the NESTF provisions, nor include provisions which are more lenient or more stringent (unless the NESTF provides for that).

[15] A number of submitters referred to the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZCEP 34:2001) (NZCEP). The NZCEP is a mandatory Code of Practice imposed by way of the Electricity Act and in response to submissions we have amended some provisions in the PDP to align with the NZCEP.

3.1 Definitions

[16] The Definitions Chapter was subject to its own Hearing (Hearing 2), however there are a number of submissions relating to definitions that were more appropriately considered as part of the Hearing on the Energy and Infrastructure Chapter. For the following submitters and their submission points on such definitions we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0068	MetroPort Christchurch (MetroPort)	001

¹ The commissioner Reid recused herself from consideration of the Orion submission due to the SDC's part ownership of Orion causing a conflict of interest.

Sub #	Submitter	Submission Points
DPR-0212	Ellesmere Sustainable Agriculture Incorporated	001
DPR-0260	Canterbury Regional Council (Environment Canterbury)	179
DPR-0300	Ara Poutama Aotearoa the Department of Corrections	001
DPR-0353	Horticulture New Zealand	035, 041, 042, 043, 044, 046, 047, 052, 054, 055, 056, 062, 074, 075, 076
DPR-0359	Fire and Emergency New Zealand	003, 004, 006
DPR-0367	Orion New Zealand Limited	010, 011, 014, 016, 018, 019, 021
DPR-0370	Fonterra Limited	007
DPR-0371	Christchurch International Airport Limited	006, 009
DPR-0372	Dairy Holdings Limited	002
DPR-0375	Waka Kotahi NZ Transport Agency	002
DPR-0378	The Ministry of Education	007, 008
DPR-0390	Rakaia Irrigation Limited (RIL)	002
DPR-0414	Kāinga Ora - Homes & Communities	051
DPR-0420	Synlait Milk Limited	001
DPR-0422	Federated Farmers of New Zealand - North Canterbury	020, 026, 039, 051, 066, 067, 068, 083, 084, 292, 297
DPR-0427	Director-General of Conservation	012
DPR-0441	Manawa Energy Limited	005, 007, 010, 016, 013, 019, 020, 021, 023, 024
DPR-0446	Transpower New Zealand Limited	005, 007, 008, 009, 010, 015
DPR-0448	New Zealand Defence Force	001, 005
DPR-0453	Midland Port, Lyttelton Port Company Limited	006
DPR-0454	Central Plains Water Limited	001, 002
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	003, 009

- [17] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to the definitions of 'Important Infrastructure', 'Minor Utility Structure', 'National Grid Subdivision Corridor', 'National Grid Yard', 'Network Utility', 'Renewable Electricity Generation Activities', and 'Renewable Electricity Generation Investigations' are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We are similarly satisfied that the Section 42A Report author's recommended addition of a definition for 'Earthworks in the National Grid Yard' is appropriate. In that regard, for the recommended amendments to 'Minor Utility Structure', 'Earthworks in the National Grid Yard' and 'Network Utility' outlined above, we also adopt the author's evaluation contained in Appendix 3 to the Reply Report.
- [18] Having said that, in response to the evidence of Manawa Energy² and our questions of their witnesses, we have recommended amending the definition of 'Network Utility' to refer specifically to '... utility operator; or any person who owns or operates the Coleridge Hydro Electric Power Scheme'.
- [19] We are satisfied that the Section 42A Report author's recommended rejection of the request for new 'Additional infrastructure' and 'Social Infrastructure' definitions is appropriate, as is

² Romae Calland provided further advice on this matter on 13 October 2021.

the recommendation to reject the request for a new 'Artificial Waterway' definition, while noting and adopting the author's recommendation to make a consequential amendment to EI-R26 to reflect the PDP's existing 'Artificial Watercourse' definition.

3.2 Chapter Structure and EI-Overview

[20] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0269	Heritage New Zealand Pouhere Taonga	004
DPR-0371	Christchurch International Airport Limited	021
DPR-0422	Federated Farmers of New Zealand - North Canterbury	106
DPR-0427	Director-General of Conservation	024
DPR-0446	Transpower New Zealand Limited	022

[21] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendments of the EI-Overview to provide better clarity and consistency by:

- including the note sought by Heritage NZ;
- including reference to the nation and region as well as the community as sought by Transpower; and
- referring to transmission via the National Grid as sought by Transpower

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3 Objectives

3.3.1 EI-01

[22] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	003
DPR-0260	Canterbury Regional Council (Environment Canterbury)	010
DPR-0353	Horticulture New Zealand	089
DPR-0359	Fire and Emergency New Zealand	016
DPR-0367	Orion New Zealand Limited	186
DPR-0370	Fonterra Limited	022
DPR-0371	Christchurch International Airport Limited	022
DPR-0375	Waka Kotahi NZ Transport Agency	018
DPR-0422	Federated Farmers of New Zealand - North Canterbury	107
DPR-0441	Manawa Energy Limited	028
DPR-0446	Transpower New Zealand Limited	023
DPR-0448	New Zealand Defence Force	014
DPR-0453	Midland Port, Lyttelton Port Company Limited	088
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	017

[23] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-01 to achieve greater

clarity and consistency with CRPS Policy 6.3.5(2) is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3.2 EI-02

[24] The Section 42A Report author recommended no change to EI-02. However, we were persuaded by the evidence of submitters that the location of important infrastructure and the ability to manage its effects is also influenced by factors such as functional and operational requirements.³ We therefore recommend that EI-02 is amended to refer to the functional and operational needs of important infrastructure when managing any adverse effects of its location, design and operation. In terms of s32AA of the RMA, we are satisfied that is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[25] Consequently, for the following submitters and submission points our recommendations are set out below.

Sub #	Submitter	Sub Point	Accept in part	Reject
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	004	✓	
DPR-0260	Canterbury Regional Council (Environment Canterbury)	011		✓
DPR-0359	Fire and Emergency New Zealand	017		✓
DPR-0367	Orion New Zealand Limited	188	✓	
DPR-0370	Fonterra Limited	023	✓	
DPR-0371	Christchurch International Airport Limited	023	✓	
DPR-0375	Waka Kotahi NZ Transport Agency	019	✓	
DPR-0441	Manawa Energy Limited	029	✓	
DPR-0446	Transpower New Zealand Limited	024		✓
DPR-0448	New Zealand Defence Force	015		✓
DPR-0453	Midland Port, Lyttelton Port Company Limited	089	✓	
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	018		✓

3.3.3 EI-03

[26] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0068	MetroPort Christchurch (MetroPort)	007
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	036
DPR-0260	Canterbury Regional Council (Environment Canterbury)	012
DPR-0353	Horticulture New Zealand	090
DPR-0359	Fire and Emergency New Zealand	018
DPR-0367	Orion New Zealand Limited	190
DPR-0370	Fonterra Limited	024
DPR-0371	Christchurch International Airport Limited	024
DPR-0375	Waka Kotahi NZ Transport Agency	020

³ Including Chris Horne for Chorus New Zealand Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited and Melanie Foote for Orion.

Sub #	Submitter	Submission Points
DPR-0422	Federated Farmers of New Zealand - North Canterbury	108
DPR-0441	Manawa Energy Limited	030
DPR-0446	Transpower New Zealand Limited	025
DPR-0448	New Zealand Defence Force	016
DPR-0453	Midland Port, Lyttelton Port Company Limited	090
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	019

[27] For these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-O3 to provide greater clarity by referring to 'safe and efficient' operation and 'incompatible' activities (consistent with EI-P6) is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard, we adopt the author's evaluation contained in Appendix 3 to the Reply Report.

[28] We also agree with the author's Reply Report⁴ advice that while there is no submission which specifically requests the addition of the words 'and reverse sensitivity effects' to the end of the provision, that can be considered a consequential amendment resulting from the submissions on EI-P6 and Transpower's submission point DPR-0446.031.

3.3.4 EI-O4 and EI-O5

[29] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0260	Canterbury Regional Council (Environment Canterbury)	013, 014
DPR-0367	Orion New Zealand Limited	192, 193
DPR-0441	Manawa Energy Limited	031, 032

[30] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to amend EI-O4 and EI-O5 to:

- use a term that differs from 'mitigating' effects in EI-O4, but we consider that the word "minimising" provides better guidance to decision-makers and is more consistent with the terminology used in EI-P2; and
- refer to more appropriate terms by deleting reference to 'national' in EI-O5 and commencing EI-O4 with the requirements to 'Optimise and increase renewable electricity generation'

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4 Policies

3.4.1 EI-P1

[31] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0068	MetroPort Christchurch (MetroPort)	008

⁴ Paragraph 3.12.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	005
DPR-0359	Fire and Emergency New Zealand	019
DPR-0367	Orion New Zealand Limited	194
DPR-0370	Fonterra Limited	025
DPR-0371	Christchurch International Airport Limited	025
DPR-0375	Waka Kotahi NZ Transport Agency	021
DPR-0441	Manawa Energy Limited	033
DPR-0446	Transpower New Zealand Limited	026
DPR-0448	New Zealand Defence Force	017
DPR-0453	Midland Port, Lyttelton Port Company Limited	091
DPR-0454	Central Plains Water Limited	005
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	020

- [32] For these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-P1 to provide greater clarity by referring to 'historic heritage' value as sought by Orion is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [33] We are also satisfied that it is appropriate to add a new clause that refers to providing for the 'use, operation, maintenance, repair and development of new important infrastructure throughout the district'. However, to avoid an inconsistency with EI-P2, we find that the new clause should be tempered by the adjective "appropriate". We are also satisfied that the notified first clause (now clause 2) should be amended to include a reference to 'minor upgrading'. While not a defined term, we consider that the various rules in other PDP chapters will suitably manage the effects of any such 'minor upgrading' activities. We were not persuaded however that it is necessary to provide for the 'removal' of new infrastructure as the 'removal of existing important infrastructure' is already provided for in new clause 2. In particular we adopt the author's Reply Report advice that the enabling (rather than managing) approach of EI-P1.1 is intended to apply to existing important infrastructure only, but the policy as a whole is wider than existing infrastructure and is also intended to apply to new infrastructure (i.e., EI-P1.2). The author agreed with Chorus that the notified drafting left a gap in the policy with respect to recognising the benefits of new important infrastructure.⁵ We similarly agree.
- [34] In terms of s32AA of the RMA, for the recommended amendments outlined above, we adopt the author's evaluation contained in Appendix 3 to the Reply Report.

3.4.2 EI-P2

- [35] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	006
DPR-0359	Fire and Emergency New Zealand	020
DPR-0367	Orion New Zealand Limited	195
DPR-0370	Fonterra Limited	026

⁵ Paragraphs 2.20 and 2.21.

Sub #	Submitter	Submission Points
DPR-0371	Christchurch International Airport Limited	026
DPR-0375	Waka Kotahi NZ Transport Agency	022
DPR-0427	Director-General of Conservation	025
DPR-0441	Manawa Energy Limited	034
DPR-0446	Transpower New Zealand Limited	027
DPR-0448	New Zealand Defence Force	018
DPR-0453	Midland Port, Lyttelton Port Company Limited	092
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	021

- [36] For these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment⁶ to EI-P2.3(b), in response to the submissions of Transpower and Midland Port, is appropriate because that will ensure EI-P2 better aligns with SD-DI-O2 and EI-O2 (as we have recommended that they be amended) and CRPS Policy 5.3.9(3).⁷
- [37] However, given the paucity of sites of historic heritage within the Selwyn district we do not consider that infrastructure should be enabled to detract from those sites. For that reason, we have not recommended including a reference to 'historic heritage' in EI-P2(3)(b).
- [38] Regarding EI-P2.6, we agree with the author that the amendment sought by Transpower is appropriate as it will ensure substantial upgrades consider opportunities to reduce existing adverse effects so long as the infrastructure is not compromised, and also achieves the intent of the NPSET.⁸
- [39] In terms of s32AA of the RMA, for the recommended amendments outlined directly above, we adopt the author's evaluation contained in Appendix 3 to the Reply Report.
- [40] Turning to EI-P2.4 and 5, we agree with the author that greater clarity regarding biodiversity off-setting or compensation and sensitive activities is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. However, we prefer the wording suggested in the evidence of witnesses for the Department of Conservation with respect to EI-P2.4.

3.4.3 EI-P3

- [41] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	037
DPR-0367	Orion New Zealand Limited	197
DPR-0375	Waka Kotahi NZ Transport Agency	023
DPR-0446	Transpower New Zealand Limited	028
DPR-0454	Central Plains Water Limited	006

⁶ The author recommended a separate clause at paragraph 3.17 of the Reply Report, but we have instead amalgamated her wording with existing clause 3(b).

⁷ Reply Report, paragraph 3.19.

⁸ Reply Report, paragraphs 2.24 to 2.26

- [42] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-P3 to provide greater clarity by referring to the 'effective' operation of land transport infrastructure as sought by Waka Kotahi NZTA is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.4 EI-P4

- [43] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	007
DPR-0359	Fire and Emergency New Zealand	021
DPR-0367	Orion New Zealand Limited	198
DPR-0375	Waka Kotahi NZ Transport Agency	024
DPR-0441	Manawa Energy Limited	035
DPR-0446	Transpower New Zealand Limited	029
DPR-0448	New Zealand Defence Force	019
DPR-0453	Midland Port, Lyttelton Port Company Limited	093

- [44] For these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-P4 to refer to 'including' by way of compliance with standards and regulations is the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard, we adopt the author's s32AA evaluation contained in Appendix 3 to the Reply Report.
- [45] However, while we accept the evidence of Chorus that there are other methods, including the use of a Construction Noise and Vibration Management Plan, to manage construction noise and vibration effects, we do not consider that EI-P4 needs to refer explicitly to a Construction Noise and Vibration Management Plan, because noise and vibration standards and regulations are built into the permitted activity rules in the Noise Chapter.
- [46] We also agree with the submission of the NZDF⁹ that referring to 'applicable' standards and guidelines provides more certainty. Additionally, we consider that the inclusion of the word 'recognised' provides consistency with EI-P5.

3.4.5 EI-P5

- [47] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	038
DPR-0367	Orion New Zealand Limited	199
DPR-0446	Transpower New Zealand Limited	030

- [48] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-P5 to provide greater

⁹ DPR-0448.019 submission point on EI-P4.

clarity by referring to ‘magnetic fields’ instead of ‘magnetic emissions’ is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [49] We are also similarly satisfied with the Section 42A Report author’s recommendation to make similar consequential amendments to EI-R9, EI-R10, EI-R11, EI-R12, EI-R13, EI-R14, EI-R15, EI-R17, EI-R18, EI-R19, EI-R21, EI-R27, and EI-R30 to refer to ‘EI-REQ7 Electric and Magnetic Fields’.
- [50] We have recommended the inclusion of a reference to ‘applicable and recognised’ standards and guidelines to provide consistency with EI-P4.

3.4.6 EI-P6

- [51] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0068	MetroPort Christchurch (MetroPort)	009
DPR-0353	Horticulture New Zealand	091
DPR-0359	Fire and Emergency New Zealand	022
DPR-0367	Orion New Zealand Limited	196
DPR-0370	Fonterra Limited	027
DPR-0371	Christchurch International Airport Limited	027
DPR-0375	Waka Kotahi NZ Transport Agency	025
DPR-0414	Kāinga Ora - Homes & Communities	068
DPR-0441	Manawa Energy Limited	036
DPR-0446	Transpower New Zealand Limited	031, 032, 033
DPR-0448	New Zealand Defence Force	020
DPR-0453	Midland Port, Lyttelton Port Company Limited	094
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	022

- [52] For these submissions and submission points we are satisfied that the Section 42A Report author’s recommended amendment to amend EI-P6 to provide greater clarity by referring to ‘operation’, ‘repair’, ‘replacement’, ‘renewal’ and ‘development’ in EI-P6.2 is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard, we adopt the author’s evaluation contained in Appendix 3 to the Reply Report.
- [53] We note and agree with the author’s Reply Report advice¹⁰ that the Right of Reply for Strategic Directions recommended an addition to SD-DI-O2 to refer to both ‘incompatible activities’ and ‘reverse sensitivity’, and therefore for consistency and integration of the provisions the same amendment should be made to EI-P6. We have also recommended amending the title of EI-P6 to better align with its content.

3.4.7 EI-P7, P8 and P9

- [54] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that there were no recommended amendments to EI-P7 or EI-P8.

¹⁰ Paragraphs 3.13 and 3.26.

Sub #	Submitter	Submission Points
DPR-0019	Sue Jarvis	001
DPR-0441	Manawa Energy Limited	037, 038, 039

- [55] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-P9 to streamline the policy, rely on the definitions and recognise that renewable electricity generation can help achieve climate change mitigation is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.8 *New Policy: Significant Electricity Distribution Lines*

- [56] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author that an additional policy is not required because existing objectives and policies are enabling of important infrastructure which includes national, regional and local electricity generation activities and electricity distribution and transmission networks.

Sub #	Submitter	Submission Point
DPR-0367	Orion New Zealand Limited	184

3.5 Note for Plan Users

- [57] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0367	Orion New Zealand Limited	181
DPR-0371	Christchurch International Airport Limited	028
DPR-0441	Manawa Energy Limited	062
DPR-0446	Transpower New Zealand Limited	034

- [58] We note that a reasonable number of amendments to the Note for Plan Users were put forward in a report to Council dated 3 February 2021 subject to clause 16(2) of Schedule 1 to the RMA, and were subsequently updated in the e-Plan on 10 March 2021 following the close of submissions.

- [59] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendments to the Note to Plan Users (as modified by the SDC under clause 16(2) of Schedule 1 of the RMA) to provide greater clarity and cross-referencing is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6 Rules

3.6.1 *EI-R1 Activities in the National Grid Yard*

- [60] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	092
DPR-0414	Kāinga Ora - Homes & Communities	069
DPR-0422	Federated Farmers of New Zealand - North Canterbury	109

Sub #	Submitter	Submission Points
DPR-0446	Transpower New Zealand Limited	035

- [61] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R1 to permit the reticulation or storage of water in waterways within the National Grid Yard regardless of who owns and operates the waterway, subject to access to the National Grid Yard being maintained, is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.2 EI-R2 Structures in the National Grid Yard

- [62] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	094
DPR-0414	Kāinga Ora - Homes & Communities	070
DPR-0446	Transpower New Zealand Limited	036

- [63] For these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to amend the rule in response to Transpower who sought that structures be subject to the access rule requirement, fence setback, and a new rule requirement concerning the NZECP. However, as requested by Horticulture New Zealand in evidence, we recommend that EI-REQ2 is incorporated into the rule as EI-R2 is the only rule that refers to EI-REQ2 and we understand that the National Planning Standards require that approach in such circumstances.

- [64] In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.3 New Rule: EI-R2A Earthworks in the National Grid Yard

- [65] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0446	Transpower New Zealand Limited	047

- [66] In particular, we agree with the author's Reply Report advice that management of this issue in the PDP would be beneficial to more clearly manage earthworks and to give effect to Policy 10 of the NPSET, as was suggested by Transpower.¹¹ However, we consider that the wording suggested by Transpower can be improved so that the rule is more easily understood. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.4 New Rule: Structures and Sensitive Activities Near National Grid Substations

- [67] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

¹¹ Paragraphs 2.59 to 2.63.

Sub #	Submitter	Submission Point
DPR-0446	Transpower New Zealand Limited	048

- [68] We note there are three existing designated Transpower substations within the PDP: TPR-2 Arthurs Pass Substation; TPR-3 Castle Hill Substation; and TPR-4 Hororata Substation. In evidence Transpower suggested that a new controlled activity rule was required for any new, replacement or upgraded structure within a 55m contour of the Arthurs Pass substation boundary fence. Matters of control would include EPR risk to people safety and property damage, the use of non-conductive materials and other design methods to reduce EPR risk, design and construction methods to increase electrical resistance, and methods to limit public access to locations with potential EPR hazard.
- [69] We agree with the Section 42A Report author¹² that the effectiveness of such a rule for the Arthur's Pass substation is questionable as both Kiwirail and NZTA can rely on their own designations and develop within the purpose of those designations within the proposed 55m contour as of right. Furthermore, telecommunication providers can rely on the NESTF to install such facilities within the land transport corridor regardless of district plan rules. Therefore, key activities of concern to Transpower would likely not be captured by the proposed rule. We recommend that Transpower's proposed new rule is not included in the PDP.

3.6.5 EI-R3 Sensitive Activities

- [70] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0414	Kāinga Ora - Homes & Communities	071
DPR-0441	Manawa Energy Limited	040
DPR-0446	Transpower New Zealand Limited	037

- [71] For these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R3 to provide greater clarity is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.6 EI-R4 Structures near Significant Electricity Distribution Line

- [72] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	096
DPR-0422	Federated Farmers of New Zealand - North Canterbury	110
DPR-0446	Transpower New Zealand Limited	038

- [73] For these submissions and submission points we are satisfied that based on the evidence from both Orion and Transpower, the Section 42A Report author's recommendations to:

¹² Reply Report, paragraphs 2.66 to 2.68.

- retain EI-R4.1, 4.2 and 4.3 and amend the setback to 5m as opposed to 6m as sought by Orion;
- delete EI-R4.1.a.ii and apply the rule to all SEDL's and that there be no voltage references; and
- require a setback from the Springston to Islington SEDL with some exceptions for network utilities, a structure not used for habitation, and agricultural and horticultural activities comparable with the equivalent National Grid rule (EI-R2)

are appropriate¹³. However, we have simplified the wording of EI-R4.4.

[74] In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.7 New Rule: EI-R4A Network Utilities and Works Near Significant Electricity Distribution Lines

[75] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0367	Orion New Zealand Limited	200

[76] We accept the evidence of Orion, and the advice of the Section 42A Report author¹⁴, that this new rule is necessary to ensure that works undertaken by other network utilities within 10m of SEDL's are a permitted activity subject to meeting the requirements of the NZECP and that this will be a more enabling approach for other network utilities. We have however simplified the recommended rule by including a reference to EI-REQ1. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.8 EI-R6 Operation, Maintenance and Repair of Existing Network Utilities and Ancillary Vehicle Access Tracks

[77] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	008
DPR-0367	Orion New Zealand Limited	204
DPR-0375	Waka Kotahi NZ Transport Agency	026
DPR-0446	Transpower New Zealand Limited	039

[78] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R6 to refer to the amended PDP definition of 'Maintenance or repair' (see our Hearing 2 Introduction and General Provisions Recommendation Report) for added clarity is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

¹³ Reply Report, paragraphs 2.45-2.55

¹⁴ Reply Report, paragraph 3.66.

3.6.9 EI-R8 New and Temporary Customer Connections

[79] For the following submitters and their submission points we generally adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	006
DPR-0359	Fire and Emergency New Zealand	020
DPR-0367	Orion New Zealand Limited	195
DPR-0370	Fonterra Limited	026
DPR-0371	Christchurch International Airport Limited	026
DPR-0375	Waka Kotahi NZ Transport Agency	022
DPR-0427	Lou Sanson, Director-General of Conservation	025
DPR-0441	Manawa	034
DPR-0446	Transpower New Zealand Limited	027
DPR-0448	New Zealand Defence Force	018
DPR-0453	Midland Port, Lyttelton Port Company Limited	092
DPR-0458	KiwiRail Holdings Limited (KiwiRail)	021

[80] As noted in the Reply Report¹⁵, Chorus sought that EI-REQ8 be amended so that a customer connection to a listed heritage building and/or to a building within a heritage setting is provided for as a controlled activity. Notwithstanding Chorus's evidence that such a rule was developed as a result of ongoing discussions with Heritage New Zealand Pouhere Taonga, we are not persuaded that the notified requirement for a RDIS consent is unduly onerous. We therefore decline to recommend the inclusion of a new controlled activity rule.

3.6.10 EI-R9 Temporary Network Utilities

[81] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	009
DPR-0367	Orion New Zealand Limited	206
DPR-0446	Transpower New Zealand Limited	040

[82] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R9 to apply fewer rule requirements in recognition of the temporary nature and effects of temporary network utilities is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[83] We note that SDC has made an amendment to EI-REQ6 and EI-REQ7 under clause 16(2) of Schedule 1 of the RMA changing the words 'emission' to 'fields'. We note that EI-REQ6 and EI-REQ7 are referenced in a large number of the EI rules.

¹⁵ Reply Report, paragraphs 2.69-2.71

3.6.11 EI-R10 Below Ground Network Utilities Upgrading or Installation

- [84] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	010
DPR-0367	Orion New Zealand Limited	207
DPR-0446	Transpower New Zealand Limited	041

3.6.12 EI-R11 Upgrading of Existing Above Ground Network Utilities

- [85] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author, together with some additional minor wording corrections identified by the Panel.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	011
DPR-0353	Horticulture New Zealand	093
DPR-0367	Orion New Zealand Limited	208
DPR-0422	Federated Farmers of New Zealand - North Canterbury	111
DPR-0446	Transpower New Zealand Limited	042

- [86] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R11 to improve clarity through the addition of the words 'except where provided for under Rule EI-R19' to EI-R11 to make it clear to refer to EI-R19 in the first instance with respect to upgrading or expanding above ground lines is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.13 EI-R13 Small Cell Units; EI-R14 Telecommunication Cabinets; and EI-R17 Telecommunication Poles and Attached Antennas

- [87] For the following submitter and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	012, 013, 014

- [88] For this submission and submission points we are satisfied that the Section 42A Report author's recommended amendments to:

- remove reference to EI-REQ13 from EI-R17 (due to the fact that APP3 - Height in Relation to Boundary exempts poles from the provisions and so the reference to EI-REQ13 Height in Relation to Boundary would be contradictory as it relates to telecommunication poles); and
- remove EI-REQ12, 14 and 15 from EI-R13

are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.14 EI-R15 Electricity Cabinets and EV Charging Stations

- [89] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0367	Orion New Zealand Limited	209

- [90] We are satisfied that the Section 42A Report author's recommended amendment to EI-R15 to include electricity kiosks, transformers and switchgear, which are similar in size to cabinets, so that those facilities are not captured by EI-R27 is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.15 EI-R16 Electricity Generators and Mobile Equipment to Supply Important Infrastructure

- [91] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	042
DPR-0359	Fire and Emergency New Zealand	023
DPR-0367	Orion New Zealand Limited	210
DPR-0441	Manawa Energy Limited	041
DPR-0446	Transpower New Zealand Limited	043

- [92] We are satisfied that the Section 42A Report author's recommended amendment to EI-R16 to provide more flexibility with respect to back-up electricity supply during routine or scheduled maintenance to important infrastructure is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.16 EI-R18 Building Attached Antenna

- [93] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	015
DPR-0367	Orion New Zealand Limited	211

- [94] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendments to EI-R18 to provide greater clarity regarding the 'largest face' area of any panel and antenna heights so as to better reflect equivalent regulation in the NESTF and apply a height limit of 4m in residential zones and 5m in all other zones are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.17 EI-R19 Overhead Telecommunication Lines, Electricity Distribution Lines, and Associated Support Structures and Equipment; EI-R20 Electricity Transmission Lines and Associated Support Structures and Equipment

- [95] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	016
DPR-0367	Orion New Zealand Limited	212
DPR-0446	Transpower New Zealand Limited	044

- [96] We note, as was outlined in the Reply Report, that Chorus presented evidence stating that the provisions as notified did not make sense for overhead line networks as they replicate provisions sought for poles and antennas, which include an additional height allowance for co-locating two networks on the same pole, and that the heights provided for in EI-R19.5.a clauses ii. and iii are excessive.¹⁶ We therefore recommend that EI-R19.5.a clauses ii. and iii are deleted and a 25m height limit is applied to telecommunication or electricity distribution lines. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.
- [97] In response to the submissions of Transpower we also recommend deleting the notified reference to 'expansion of an existing' transmission line in EI-R20 so as to remove any potential overlap between that rule and EI-R11 in respect of 'expansion' or 'upgrading' of existing National Grid transmission lines.

3.6.18 EI-R21 Substations and Switching Stations

- [98] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0367	Orion New Zealand Limited	213
DPR-0446	Transpower New Zealand Limited	045

- [99] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to amend EI-R21 to provide greater clarity and development flexibility by referring to the 'substation or switching station building footprint' in clause a. is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.19 EI-R22 Environmental Monitoring Equipment Associated with a Network Utility

- [100] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0367	Orion New Zealand Limited	182

¹⁶ Statement of Evidence of Chris Horne - 8 September 2021 - paragraphs 51-57

- [101] We note that the recommendation that reference to NH-REQ5 be deleted from EI-R22 derives from paragraph 18.10.3 of the Section 42A Report on the PDP Natural Hazards chapter.¹⁷ In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.20 EI-26 Artificial Waterways and Associated Structures

- [102] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author to amend EI-R26 to to delete reference to 'by a network utility operator' and link the rule to the defined term of 'artificial watercourse'.

Sub #	Submitter	Submission Points
DPR-0142	New Zealand Pork Industry Board (NZ Pork)	021
DPR-0252	Lance Roper	001
DPR-0289	Murray Tyson	001
DPR-0353	Horticulture New Zealand	095, 100
DPR-0390	Rakaia Irrigation Limited (RIL)	011
DPR-0422	Federated Farmers of New Zealand - North Canterbury	112
DPR-0454	Central Plains Water Limited	007

- [103] In terms of s32AA of the RMA, we are satisfied that represents is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.21 EI-R27 Other Network Utility Structures

- [104] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author, noting they relate solely to the replacement of the words 'radio emissions' with 'radio fields'.

Sub #	Submitter	Submission Points
DPR-0367	Orion New Zealand Limited	185
DPR-0454	Central Plains Water Limited	008

3.6.22 EI-R29 Renewable Electricity Generation - Coleridge HEPS

- [105] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0441	Manawa Energy Limited	043

- [106] For this submission and submission point we are satisfied that the Section 42A Report author's recommendation to amend EI-R29 to:

- provide for monitoring equipment and official and operational signs; and
- provide greater flexibility for development at the Coleridge HEPS and greater clarity regarding amendments to floor area that are less than 25% and removing the 8m height limit and instead requiring consistency with the height of the existing structure
- apply EI-REQ3

¹⁷ Reply Report, paragraph 2.88

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.6.23 *El-R30 Small and Community-Scale Electricity Generation, and Small and Community-Scale Electricity Generation Activities*

- [107] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0211	William Trolove	001
DPR-0370	Fonterra Limited	029
DPR-0420	Synlait Milk Limited	004, 030
DPR-0441	Manawa Energy Limited	044

- [108] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-R30 to exclude the DPZ from EI-R30 and thereby remove duplication and provide certainty to Fonterra and Synlait that EI-R30 does not apply to the DPZ is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.6.24 *El-R31 Other Renewable Electricity Generation and Renewable Electricity Generation Activities*

- [109] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0370	Fonterra Limited	031
DPR-0441	Manawa Energy Limited	045

- [110] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to exclude the DPZ from EI-R31 makes it clear that the DPZ provisions are the only provisions that apply to energy generation in the DPZ which is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.7 Rule Requirements

3.7.1 *EI-REQ1 Access to a National Grid Support Structure and EI-REQ2 Fence Separation to a National Grid Support Structure*

- [111] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0353	Horticulture New Zealand	097, 099
DPR-0422	Federated Farmers of New Zealand - North Canterbury	113, 114
DPR-0446	Transpower New Zealand Limited	049, 050

- [112] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to amend EI-REQ1 to better align with the corresponding rules in the NZCEP and the NPSET is the most appropriate option for

achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [113] Regarding EI-REQ2 we agree with the Section 42A Report author that the amendments that Transpower sought¹⁸ to EI-REQ2 should instead be incorporated within EI-R2. In terms of s32AA of the RMA, for the recommendation we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.7.2 New Rule Requirement: NZCEP

- [114] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author to accept the Transpower submission. We note this results in a new rule requirement: 'EI-REQ2 New Zealand Code of Practice for Electrical Safe Distances'.

Sub #	Submitter	Submission Point
DPR-0446	Transpower New Zealand Limited	065

3.7.3 EI-REQ3 Works to and Around Notable Trees

- [115] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	017
DPR-0367	Orion New Zealand Limited	187
DPR-0441	Manawa Energy Limited	046, 051

- [116] We note that the amendments that we have recommended to the definition of 'Network utility' avoids the need for any amendment to EI-P1.1, EI-P1.2, or EI-REQ3 to refer to 'renewable electricity generation activities' as 'network utility' is already referenced in the provisions and the proposed amendment to the 'network utility' definition ensures Manawa Energy's assets are included. Those amendments also avoid having to amend the 'minor network utility' definition and EI-REQ3 despite the recommendation to do so in the initial Section 42A Report. We note this results in no change to the notified provision.

3.7.4 EI-REQ4 Clearance of Vegetation

- [117] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provision.

Sub #	Submitter	Submission Points
DPR-0441	Manawa Energy Limited	047
DPR-0446	Transpower New Zealand Limited	052

¹⁸ Evidence of Ainsley McLeod – 8 September 2021 – Paragraph 134.

3.7.5 EI-REQ5 Earthworks

- [118] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provision.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	018
DPR-0441	Manawa Energy Limited	048, 049
DPR-0446	Transpower New Zealand Limited	053

3.7.6 EI-REQ6 Radio Frequency Fields; Amateur Radiocommunication

- [119] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0210	M. O. Hely	001
DPR-0312	John Graham Miller	001

- [120] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended retention of EI-REQ6 (as it relates to EI-R17 and EI-R18) as notified, and amendments to EI-R9 to EI-R14 and EI-R17 to EI-R19, and EI-R27 to reference EI-REQ6 Radio Frequency Fields, are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [121] We note that the SDC has made amendments to refer to 'EI-REQ6 Radio Frequency Fields' instead of 'EI-REQ6 Radio Emissions' throughout the Chapter under clause 16(2) of Schedule 1 to the RMA. We have ensured that amendment is now reflected in all relevant provisions.

3.7.7 EI-REQ7 Electric and Magnetic Fields

- [122] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0367	Orion New Zealand Limited	189
DPR-0446	Transpower New Zealand Limited	054

- [123] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended retention of EI-REQ7 as notified (apart from its title) and amendments to EI-R9 to EI-R15, EI-R17 to EI-R19, EI-R21, EI-R27 and EI-R30 to reference 'EI-REQ7 Electric and Magnetic Fields', are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.7.8 EI-REQ8 Historic Heritage

- [124] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	019
DPR-0269	Heritage New Zealand Pouhere Taonga	005
DPR-0367	Orion New Zealand Limited	191
DPR-0441	Manawa Energy Limited	050
DPR-0446	Transpower New Zealand Limited	055

- [125] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommended amendment to EI-REQ8 to separate out the earthworks, heritage repair and maintenance components for customer connections is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.7.9 EI-REQ9 Natural Character

- [126] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provision.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	020
DPR-0441	Manawa Energy Limited	051
DPR-0446	Transpower New Zealand Limited	056

3.7.10 EI-REQ10 Noise and EI-REQ11 Light

- [127] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0359	Fire and Emergency New Zealand	025, 026
DPR-0441	Manawa Energy Limited	052
DPR-0446	Transpower New Zealand Limited	057, 058

3.7.11 EI-REQ12 Structures in Special Areas

- [128] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no change to the notified provision.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	021
DPR-0441	Manawa Energy Limited	053
DPR-0446	Transpower New Zealand Limited	059

3.7.12 EI-REQ14 Reflectivity

- [129] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	023
DPR-0441	Manawa Energy Limited	055, 056, 057
DPR-0446	Transpower New Zealand Limited	061

- [130] We agree with the Section 42A Report author¹⁹ that an exclusion should be provided for telecommunications lines, because a reflectivity control with respect to lines is simply not practical. We also support exclusions for Chorus telecommunications poles and antennas in the GRUZ, similar to those contained in the Operative Plan, which will ensure that any pole or antenna not operated by Chorus is still managed, whilst also being consistent with the relief sought by Chorus. In terms of s32AA of the RMA, we adopt the author's evaluation set out in Appendix 3 to the Reply Report.

3.7.13 Other Rule Requirements

- [131] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	022, 024, 025, 026
DPR-0126	Foster Commercial	014
DPR-0353	Horticulture New Zealand	098
DPR-0359	Fire and Emergency New Zealand	027, 028, 029
DPR-0380	Canterbury Aero Club	002
DPR-0422	Federated Farmers of New Zealand - North Canterbury	115
DPR-0441	Manawa Energy Limited	054, 058
DPR-0446	Transpower New Zealand Limited	060, 063, 064
DPR-0454	Central Plains Water Limited	009, 010, 011

- [132] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendations to:

- amend EI-REQ16.1.a. to delete 'strategic road' and replace it with 'State Highway or Arterial Road';
- amend EI-REQ17 by exempting lightning rods from height restrictions so as to be consistent with the NESTF; and
- retain EI-REQ13, EI-REQ15, EI-REQ18, EI-REQ23 as notified

are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.8 Matters for Control or Discretion

- [133] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	031

¹⁹ Reply Report, paragraphs 2.72 to 2.74.

Sub #	Submitter	Submission Points
DPR-0441	Manawa Energy Limited	059, 060, 061
DPR-0446	Transpower New Zealand Limited	066

- [134] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to retain EI-MAT2 and EI-MAT3 as notified and amend EI-MAT1 to refer to 'operational' needs in relation to 'functional' and substantially amend EI-MAT4 to address the majority of the issues raised by Transpower is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [135] In response to the submission of Transpower we also recommend the insertion of a new EI-MAT5 dealing with Earthworks in the National Grid Yard. We agree with Ainsley McLeod²⁰ that this will reduce possible confusion and also responds to matters raised in submissions regarding activity status, exemptions for cultivation and approaches to fence posts in the National Grid Yard. Having said that we acknowledge that the associated rules continue to retain some complexity that is in part a function of the complexity of NZECP 34:2001, and also a result of seeking to 'fit' with the PDP form and structure. We nevertheless consider that is the best option for achieving the relevant objectives of this Plan and the NPSET.

3.9 Mapping of Electricity Transmission and Distribution Lines

- [136] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0207	Selwyn District Council	104
DPR-0367	Orion New Zealand Limited	007
DPR-0446	Transpower New Zealand Limited	132

- [137] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to amend the planning maps to reflect the correct GIS data set for Significant Electricity Distribution Lines so as to provide accurate mapping and to amend the planning map notation of each National Grid transmission line to include reference to the voltage of that transmission line based on data to be provided by Transpower to provide greater clarity is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.10 Non-notification clauses

- [138] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	399
DPR-0363	Iport Rolleston Holdings Limited (IRHL)	424
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	470
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	503

²⁰ Letter to Hearing Panel dated 5 October 2021.

3.11 Bird Strike

- [139] For the following submitters and their submission points we adopt the recommendation and comprehensive reasons of the Section 42A Report author. This results in no additional provisions in the PDP relating to birdstrike.

Sub #	Submitter	Submission Points
DPR-0371	Christchurch International Airport Limited	003, 070, 087, 088, 091, 095

- [140] We note that the evidence of Mr Osborne for CIAL stated that outside of the 8km radius from the airport runways²¹ only the activities associated with landfills were likely to generate bird strike risk to a material degree justifying regulation.²² On that basis we asked the officers to consider provisions restricting landfills within the 8-13km radius. In the Reply Report, the Section 42A Report author advised that the establishment of a new, or the expansion of an existing landfill in the GRUZ is already a non-complying activity (GRUZ-R37) in the PDP, and therefore there is already an appropriate rule and activity status in place which enables consideration of bird strike risk. Tellingly, Mr Bonis for CIAL also confirmed in the answers to Panel questions that no additional regulation, apart from landfills, was being sought in the area between 8-13km distant from the airport runways.²³ An analysis of the number of properties within the 8-13km contour was not provided by CIAL, and nor do we now consider it to be necessary as the evidence demonstrates that landfills are the only activity which justify regulation at this distance from the airport.
- [141] On the evidence available to us we were not persuaded that any additional provisions relating to bird strike are necessary. In saying that we do not wish to downplay the risk that bird strike poses to aircraft. However, we consider that to be a matter more relevant to the Christchurch City Plan and note that Plan includes what we understand to be appropriate birdstrike provisions.
- [142] Finally, we note that the definition of 'Bird Strike' is to be considered at the GRUZ Chapter Hearing in association with GRUZ-R21.

3.12 SUB-R16

- [143] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no amendments to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	Rolleston West Residential Limited (RWRL)	218
DPR-0363	Ipport Rolleston Holdings Limited (IRHL)	207
DPR-0367	Orion New Zealand Limited	106
DPR-0374	Rolleston Industrial Holdings Limited (RIHL)	213
DPR-0384	Rolleston Industrial Developments Limited (RIDL)	225
DPR-0414	Kāinga Ora - Homes & Communities	110
DPR-0446	Transpower New Zealand Limited	110

²¹ None of the Selwyn District falls within 8km of the airport runways.

²² Statement of Evidence of Phil Osborne - 8 September 2021 - Paragraph 26

²³ Questions for Matt Bonis - CIAL Evidence - 29 September 2021 - Page 6.

3.13 Minor/Other Matters

[144] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0101	Chorus New Zealand Limited, Spark New Zealand Trading Limited & Vodafone New Zealand Limited	039, 040, 041, 043
DPR-0359	Fire and Emergency New Zealand	024, 030
DPR-0367	Orion New Zealand Limited	183, 203, 205
DPR-0370	Fonterra Limited	028
DPR-0380	Canterbury Aero Club	001, 003
DPR-0441	Manawa Energy Limited	042
DPR-0446	Transpower New Zealand Limited	046
DPR-0448	New Zealand Defence Force	021

[145] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that the Section 42A Report author's recommendation to retain EI-R5, EI-R7, EI-R8, EI-R9, EI-R23, EI-R28, EI-R32, EI-R34, and EI-R35 as notified and amend EI-R12 to correctly reference EI-REQ7 is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

4 Other Matters

[146] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However, readers should note that further or different amendments to these provisions may have been recommended by:

- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
- the Hearing Panels considering rezoning requests, and
- the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP

[147] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair²⁴ and Deputy Chair²⁵ of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.

[148] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.

[149] There are no other matters arising from our consideration of the submissions and further submissions or that arose during the hearing.

²⁴ Who is also the Chair of the IHP.

²⁵ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments

Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

Map Layer	Description of recommended amendment
Electricity Transmission and Distribution	<ul style="list-style-type: none"> Amend the planning maps to reflect the correct GIS data set for Significant Electricity Distribution Lines Link: https://selwyndc.maps.arcgis.com/apps/webappviewer/index.html?id=ffab1fecb0d34b618482af2b40a8876f Amend the planning map notation of each National Grid transmission line to include reference to the voltage of that transmission line based on data to be provided by Transpower.

Amendments to the PDP Text

Part 1 – Introduction and General Provisions

Interpretation

Definitions	
<u>EARTHWORKS IN THE NATIONAL GRID YARD</u>	<u>Earthworks (including temporary activities, stockpiling and changes to ground level) and the disturbance of land for the installation of fence posts, but excludes any earthworks for normal agricultural cultivation or the repair, sealing, or resealing of the existing surface of any road, footpath, driveway or farm track.</u> ²⁶
IMPORTANT INFRASTRUCTURE	Those necessary facilities, services, and installations which are critical or of significance to either New Zealand, Canterbury, or Selwyn. This may include but are not limited to: f. <u>the National Grid Electricity transmission networks</u> ²⁷ ... t. <u>Rolleston Prison.</u> ²⁸
MINOR UTILITY STRUCTURE	Any above ground box-like structure or enclosure associated with a network utility or that receives or transmits to or from any part of a network utility and includes. ²⁹

²⁶ DPR-0446.047 Transpower, consequential amendment in relation to the new earthworks rule; and included in Transpower post-hearing correspondence dated 5 October 2021.

²⁷ DPR-0446.005 Transpower

²⁸ DPR-0300.001 Corrections

²⁹ DPR-0367.018 Orion NZ Ltd

Definitions	
	<ul style="list-style-type: none"> a. smart meters; b. cabinets (<u>excluding electricity cabinets</u>) c. kiosks d. electricity junction pillars; e. transformers; f. switchgear; ...
NATIONAL GRID SUBDIVISION CORRIDOR	<p>The area measured:</p> <ul style="list-style-type: none"> a. 14m either side of the centreline of <u>an above ground 66kV and 110kV National Grid-transmission lines on single poles</u>; b. <u>16m either side of the centreline of an above ground 66kV National Grid transmission line on pi poles or triple poles</u>; c. <u>32m either side of the centreline of an above ground 66kV National Grid transmission line on towers (and tubular steel monopoles where these replace towers)</u>; d. 37m either side of the centreline of <u>an above ground 220kV National Grid transmission lines on towers (and tubular steel monopoles where these replace towers)</u>; <p>39m either side of the centreline of <u>an above ground 350kV National Grid transmission lines on towers (and tubular steel monopoles where these replace towers)</u>.³⁰</p>
NATIONAL GRID YARD	<p>The area measured:</p> <ul style="list-style-type: none"> a. 12m in any direction from the outer visible <u>edge of a foundation of a National Grid support structure</u>; and b. 12m either side of the centreline of <u>an above ground 220kV or 350kV National Grid transmission line overhead national grid line on pi poles and towers (and steel tubular monopoles where these replace towers)</u>; and <p>10m either side of <u>the centreline of an above ground 66kV National Grid transmission line on single poles, pi poles, triple poles or towers an overhead national grid line on single poles</u>.³¹</p>
NETWORK UTILITY	A project, work, system or structure that is a network utility operation undertaken by a network utility operator; <u>or any person who owns or operates the Coleridge Hydro Electric Power Scheme</u> . ³²
RENEWABLE ELECTRICITY GENERATION ACTIVITIES	The construction, operation, and maintenance, <u>and upgrading</u> of structures associated with renewable electricity generation. This ³³
RENEWABLE ELECTRICITY GENERATION INVESTIGATIONS	Monitoring and measuring equipment and activities for potential <u>or the upgrade of existing</u> ³⁴ renewable electricity generation activities.

³⁰ DPR-0446.008 Transpower

³¹ DPR-0446.009 Transpower

³² DPR-0441.043 Manawa Energy

³³ DPR-0441.020 Manawa Energy

³⁴ DPR-0441.021 Manawa Energy

Part 2 – District Wide Matters

Energy, Infrastructure and Transport

EI – Energy and Infrastructure

EI-Overview

This chapter Christchurch). Accordingly, these activities are recognised through these specific provisions ~~which that~~ provide for their important function and service to the nation, region and community.

~~Certain~~ Activities must also comply with the rules managing effects, including reverse sensitivity effects ~~in relation to~~ on the National Grid and Significant Electricity Distribution Lines.

...

The Selwyn District contains the Coleridge Hydro Electric Power Scheme (Coleridge HEPS) which generates hydro-electricity for transmission via the National Grid ~~use on the national electricity grid~~.³⁵

Note:

The Heritage New Zealand Pouhere Taonga Act 2014 applies, which makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. If you wish to do any work that may affect an archaeological site you must obtain an authority from Heritage New Zealand before you begin. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District or Regional Plan or a resource or building consent has been granted. The Act provides for substantial penalties for unauthorised destruction or modification.

An archaeological site is defined in the Heritage New Zealand Pouhere Taonga Act 2014 as any place in New Zealand (including buildings, structures, or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. As mentioned above, before undertaking any work that may affect an archaeological site you must obtain an authority from Heritage New Zealand.³⁶

³⁵ DPR-0446.022 Transpower

³⁶ DPR-0269.004 Heritage NZ

EI-Objectives and Policies

EI-Objectives	
EI-O1	Important infrastructure is ³⁷ : 1. is ³⁸ efficient, effective, and resilient; ³⁹ and 2. provides and distributes essential and secure services as part of local, regional, or national networks, including in emergencies; and 3. integrates <u>coordinates</u> ⁴⁰ with urban development and land uses throughout the district; and 4. enables people and communities to provide for their wellbeing.
EI-O2	The functional and operational needs of important infrastructure <u>are taken into account when managing any adverse effects of its location, design and operation</u> is located, designed, and operated to manage adverse effects on the physical and natural environment. ⁴¹
EI-O3	The <u>safe and efficient</u> operation and security of important infrastructure is not compromised by other <u>incompatible</u> activities and <u>reverse sensitivity effects</u> . ⁴²
EI-O4	An <u>Optimise and</u> increased renewable electricity generation outputs for national, regional, and local use while mitigating <u>minimising</u> ⁴³ adverse effects on the environment and sensitive activities.
EI-O5	To have greater small and community-scale renewable electricity generation, with generation surplus supplied to the national ⁴⁴ electricity distribution network.

EI-Policies	
General	
EI-P1	Recognise the benefits and national, regional, and local importance of important infrastructure by: 1. <u>providing for the appropriate use, operation, maintenance, repair and development of new important infrastructure throughout the district;</u> 1- 2. <u>enabling the operation, maintenance, minor upgrading</u> ⁴⁵ and removal of existing important infrastructure throughout the District; 2- 3. <u>providing for replacement and upgrades, including new technologies, to network utilities, and the development of new network utilities.</u> 3- 4. <u>providing for the functions and responsibilities of network utilities as lifeline utilities during an emergency.</u> <u>5. acknowledging that important infrastructure can have a functional need or operational need to locate in a particular area, including areas with high natural, visual amenity, or cultural, or historic heritage value.</u> ⁴⁶ .

³⁷ DPR-0367.186 Orion and DPR-0371.022 CIAL³⁸ DPR-0367.186 Orion and DPR-0371.022 CIAL³⁹ DPR-0371.022 CIAL⁴⁰ DPR-0453.088 LPC⁴¹ DPR-0101.004 Chorus⁴² DPR-0367.190 Orion and DPR-0370.024 Fonterra Limited⁴³ DPR-0441.031 Manawa Energy⁴⁴ DPR-0441.032 Manawa Energy⁴⁵ DPR-0466.026 Transpower⁴⁶ DPR-0367.194 Orion

EI-Policies	
EI-P2	<p>Minimise the adverse effects of important infrastructure, and renewable electricity generation on the physical and natural environment by:</p> <p>...</p> <p>3. limiting the presence and effects of development within Outstanding Natural Landscapes, Visual Amenity Landscapes, areas of significant indigenous vegetation and habitats of indigenous fauna, sites of historic heritage and sites⁴⁷ and areas of significance to Māori to those which:</p> <p>...</p> <p>b. can demonstrate an operational or functional requirement for the location, <u>or there are practical constraints requiring it to locate in a particular area with high natural, visual amenity or cultural, or historic heritage value</u>,⁴⁸ and</p> <p>...</p> <p>4. requiring restoration of indigenous biodiversity and habitat following construction in areas of areas of significant indigenous vegetation and habitats of indigenous fauna, and the on-going monitoring of that restoration⁴⁹</p> <p>4 5 considering biodiversity off-setting <u>in accordance with EIB-SCHED-5</u> or compensation where the loss of significant indigenous vegetation cannot be restored⁵⁰ and or the effects on significant habitats of indigenous fauna or wetlands cannot be fully mitigated where the adverse effects cannot be avoided, or remedied, or mitigated.⁵¹</p> <p>5 6 using the substantial upgrade of important infrastructure and renewable electricity generation as an opportunity to reduce existing adverse effects, where the efficiency, effectiveness or resilience of the important infrastructure or renewable electricity generation is not compromised.⁵²</p>
EI-P3	Encourage the use of land transport corridors for the location of network utilities while maintaining the safe, and efficient <u>and effective</u> ⁵³ operation of land transport infrastructure.
EI-P4	Manage the adverse effects from the construction and operation of important infrastructure, and renewable electricity generation, including noise, and vibration
EI-P5	Avoid radio, electric, and magnetic fields emissions that do not meet the <u>applicable and</u> ⁵⁴ recognised standards or guidelines ⁵⁵ .
Reverse Sensitivity Effects on important infrastructure ⁵⁶	
EI-P6	<p>Avoid incompatible activities that may affect <u>or cause reverse sensitivity effects on</u> the efficient operation, maintenance, repair, <u>replacement</u>⁵⁷, upgrading, renewal, or development of important infrastructure and renewable electricity generation unless the activity is located:</p> <p>...</p>

⁴⁷ Clause 16(2) correction

⁴⁸ DPR-0453.092 Midland Port, Lyttelton Port Company Limited

⁴⁹ DPR-0427.025 Director General of Conservation

⁵⁰ DPR-0427.025 Director General of Conservation

⁵¹ DPR-0441.034 Manawa Energy

⁵² DPR-0367.095 Orion and DPR-0446.027 Transpower

⁵³ DPR-0375.023 Waka Kotahi

⁵⁴ Consequential to DPR-0448.019 NZDF, also DPR-0446.030 Transpower.

⁵⁵ DPR-0446.030 Transpower

⁵⁶ DPR-0446.031 Transpower

⁵⁷ DPR-0367.196 Orion

EI-Policies	
	1. in a position that does not obstruct access to important infrastructure as required for <u>operation</u> ⁵⁸ , maintenance, <u>repair, replacement</u> , upgrading, <u>renewal, development</u> ⁵⁹ , or emergency purposes.
Energy Generation	
EI-P9	<p>Provide for renewable electricity generation and renewable electricity generation activities across the District, while having particular regard to:</p> <ol style="list-style-type: none"> 1. The potential benefits of the proposed activity, particularly contributions to national energy objectives, or renewable electricity generation targets, <u>or climate change mitigation</u>; 2. The technical and operational requirements of renewable electricity generation and renewable electricity generation activities;⁶⁰ ...

EI-Rules

Note for Plan Users

...

The Energy and Infrastructure chapter is designed to work in the following way:

...

2. Regarding energy or important infrastructure activities, while most of the relevant provisions are contained within this chapter, where an activity is located within the Port Zone or the Dairy Processing Zone (both of which are Special Purpose Zones), those chapter provisions must also be considered. Moreover, all activities must be assessed against the Transport chapter. Additionally, the objectives, policies, and methods for managing reverse sensitivity effects relating to noise sensitive activities establishing in proximity to important infrastructure are managed under the Noise Chapter of this Plan. Except where there are direct cross-references, in all other circumstances this Chapter sets out all other provisions for energy or infrastructure activities.⁶¹
3. Where a rule or rule requirements from another chapter has been cross-referenced within this chapter, the relevant associated objectives and policies also apply ~~with~~ when assessing an application for resource consent.
4. ...

Notwithstanding any other rules in the District Plan, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply to the operation, maintenance, upgrading, relocation or removal of National Grid transmission lines that were operating or able to be operated on, or prior to, 14 January 2010 and remain part of the National Grid. In this case of conflict with any other provision in the District Plan, the NESETA prevails.⁶²

...

⁵⁸ DPR-0441.036 Manawa Energy

⁵⁹ DPR-0367.196 Orion

⁶⁰ DPR-0441.039 Manawa Energy

⁶¹ DPR-0441.062 Manawa Energy

⁶² DPR-0446.034 Transpower

EI-R1	Activities in the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an activity within a National Grid Yard.</p> <p>Where:</p> <p>a. The activity does not involve the reticulation or storage of water in open channels, dams, or reservoirs; or⁶³</p> <p>b. a. The activity does not involve the storage and/or handling of hazardous substances with explosive or flammable intrinsic properties; or</p> <p>c. b. The activity does not involve mineral extraction.</p> <p>And where the activity complies with the following rule requirements:</p> <p>EI-REQ1 Access</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of EI-R1.1 is not achieved: NC</p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement.</p> <p>Notification:</p> <p>4. Any application arising from EI-R1.2 shall not be subject to public notification and shall be limited notified to the following parties: Transpower, unless their written approval is provided.</p>
EI-R2	Structures in the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing structure within the National Grid Yard.</p> <p>Where:</p> <p><u>a. The structure is a network utility; or</u></p> <p>a. b. The structure is not used for habitation; or</p> <p><u>c. The structure is used for agricultural or horticultural activities, excluding:</u></p> <ul style="list-style-type: none"> i. habitation; ii. produce packing; iii. a milking shed <u>(other than stock yards and ancillary platforms)</u>.⁶⁴ iv. a wintering barn; v. intensive primary production; or vi. commercial greenhouse. 	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of EI-R2.1 is not achieved: NC</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</p> <p>Notification:</p> <p>5. Any application arising from EI-R2.2 shall not be subject to public notification and shall be limited notified to the following parties: Transpower, unless their written approval is provided.</p>

⁶³ DPR-0353.092 Hort NZ and DPR-0422.109 Federated Farmers

⁶⁴ DPR-0446.036 Transpower

	<p>b. d. The expansion of the any existing structure does not occur to a structure listed in EI-R2.1a b-c.</p> <p><u>e. Any structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission support structure, excluding:</u></p> <ol style="list-style-type: none"> <u>a fence consisting of non-conductive materials; or</u> <u>a fence consisting of conductive materials located at least 5m⁶⁵ from a National Grid transmission support structure; or</u> <u>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 support structure that:</u> <ol style="list-style-type: none"> <u>is removable or temporary to allow a clear working space of 12 metres from the support structure for maintenance; and</u> <u>allows all weather access to the support structure and a sufficient area for maintenance equipment, including a crane.⁶⁶</u> <p>And this activity complies with the following rule requirements: EI-REQ1 Access EI-REQ2 Fence Structure setback EI-REQ2 New Zealand Code of Practice for Electrical Safe Distances</p>	
EI-R2A	Earthworks in the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <ol style="list-style-type: none"> <u>Earthworks in the National Grid Yard</u> <p>Where: <u>a. Earthworks:</u> <u>i. do not exceed 500mm in diameter and are greater than 1.5m from the outer visible edge of a foundation of a National Grid pole or stay wire; or</u></p>	<p>Activity status when compliance not achieved:</p> <ol style="list-style-type: none"> <u>When compliance with EI-R2A.1.c or EI-R2A.1.d is not achieved: NC</u> <u>When compliance with EI EI-R2A.1.a. is not achieved: RDIS</u> <u>When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement.</u> <p>Matters for discretion:</p>

⁶⁵ DPR-0353.099 Hort NZ and DPR-0422.114 Fed Farmers

⁶⁶ DPR-0446.049 Transpower, DPR-0353.099 Hort NZ, DPR-0422.144 Fed Farmers

	<p><u>ii. b. Earthworks are less than 300mm deep within 6m from the outer visible edge of a foundation of a National Grid transmission line tower or pole; and</u></p> <p><u>c. The earthworks do not compromise the stability of a National Grid transmission line tower or pole; and</u></p> <p><u>d. Any earthworks for fence posts are located more than 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower or pole.</u></p> <p><u>And this activity complies with the following rule requirements:</u> <u>EI-REQ1 Access to a National Grid Support Structure</u> <u>EI-REQ2 New Zealand Code of Practice for Electrical Safe Distances</u></p>	<p>6. The exercise of discretion in relation to Rule <u>EI-R2A.3</u> is restricted to the following matters:</p> <p>a. <u>EI-MAT5 Earthworks in the National Grid Yard.</u></p> <p><u>Notification:</u></p> <p>5. <u>Any application arising from EI-R2A.3 shall not be subject to public notification and shall be limited notified to the following parties: Transpower, unless their written approval is provided.</u></p>
EI-R3	Sensitive Activities	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing sensitive activity.</p> <p>Where:</p> <p>a. The activity is not within:</p> <ol style="list-style-type: none"> The National Grid Yard; <u>or and</u> 10m from the centreline <u>and/or</u> foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston); <u>or and</u> 5m from the centreline <u>and/or</u> foundation of a support structure of any other Significant Electricity Distribution Line; <u>or and</u> <p>...</p>	<p>...</p> <p>Notification:</p> <p>5. Any application arising from EI-R3 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the infrastructure⁶⁷, unless their written approval is provided.</p>
EI-R4	Structures near Significant Electricity Distribution Line	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing fence.</p> <p>Where:</p> <p>a. The fence's primary material consists of conductive qualities, the fence shall be setback a minimum of: 6 <u>5m</u> from the foundation of</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with EI-R4.1 is not achieved: NC</p> <p>Notification:</p> <p>3. Any application arising from EI-R4.2 shall not be subject to public notification and shall be limited notified to the following parties: the</p>

⁶⁷ DPR-0446.037 Transpower

	<p>a support structure for any Significant Electricity Distribution Line greater than 51kV; or</p> <p>ii. 2.2m from the foundation of a support structure for any Significant Electricity Distribution Line between 1-50kV.</p>	<p>network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.⁶⁸</p>
All Zones	<p>Activity Status: PER</p> <p>4. The establishment of a new, or expansion of an existing structure within 10m from the centreline of the Significant Electricity Distribution Line (Islington to Springston), or the foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston).</p> <p>Where:</p> <p>a. <u>The structure is not within 10m of the centreline and/or foundation of a support structure of the Significant Electricity Distribution Line (Islington to Springston) or within 5m of the centreline and/or foundation of a support structure of any other Significant Electricity Distribution Line; unless the structure is:</u></p> <p>i. <u>a network utility; or</u></p> <p>ii. <u>a structure not used for habitation; or</u></p> <p>iii. <u>a structure used for agricultural or horticultural activities, excluding produce packing, a milking shed (other than stock yards and ancillary platforms), a wintering barn, intensive primary production, and commercial greenhouse⁶⁹</u></p> <p>a. The structure is not used for:</p> <p>i. habitation;</p> <p>ii. produce packing;</p> <p>iii. a milking shed;</p> <p>iv. a wintering barn;</p> <p>v. intensive primary production; or</p> <p>vi. a commercial greenhouse.</p>	<p>Activity status when compliance not achieved:</p> <p>5. When compliance with EI-R4.4 is not achieved: NC</p> <p>Notification:</p> <p>6. Any application arising from EI-R4.5 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</p>
EI-R4A	Network Utilities near Significant Electricity Distribution Lines	
All Zones	Activity Status: PER	Activity Status when compliance not achieved:

⁶⁸ DPR-0353.096 Hort NZ and DPR-0422.110 Fed Farmers

⁶⁹ DPR-0446.038 Transpower

	<p>1. <u>Any network utilities within 10m of any Significant Electricity Distribution Line.</u></p> <p>Where this activity complies with the following rule requirement: <u>EI-REQ1 Access to a National Grid Support Structure</u> <u>EI-REQ2 New Zealand Code of Practice for Electrical Safe Distances</u></p>	<p>2. <u>When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement.</u></p> <p>Notification:</p> <p>3. <u>Any application arising from EI-R4A shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line unless their written approval is provided.</u>⁷⁰</p>
EI-R6	Operation, Maintenance and Repair of Existing Network Utilities and Ancillary Vehicle Access Tracks	
All Zones	<p>Activity Status: PER</p> <p>1. The operation, maintenance and <u>or</u> repair⁷¹ of existing above and below ground network utilities and ancillary vehicle access tracks.</p> <p>Where this activity complies with the following rule requirements: EI-REQ3 Notable Trees EI-REQ8 Historic Heritage</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with any rule requirement is not achieved: Refer to relevant Rule requirements.</p>
EI-R9	Temporary Network Utilities	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of an existing temporary network utility, excluding mobile electricity generation.</p> <p>Where: The network utility:</p> <ul style="list-style-type: none"> a. operates for a maximum of 12 months; and b. is removed from the site when operation ceases. <p>And this activity complies with the following rule requirements: ... EI-REQ6 Radio <u>Fields Emissions</u> EI-REQ7 Electric and Magnetic <u>Fields Emissions</u> ... EI-REQ9 Natural Character Setbacks</p>	...

⁷⁰ DPR-0367.200 Orion

⁷¹ DPR-0446.039 Transpower

	<p>...</p> <p>EI-REQ12 Structures in Special Areas</p> <p>EI-REQ15 Height⁷²</p> <p>...</p>	
EI-R10	Below Ground Network Utilities Upgrading or Installation	
All Zones	<p>....</p> <p>Where this activity complies with the following rule requirements</p> <p>....</p> <p>EI-REQ6 Radio <u>Fields Emissions</u></p> <p>EI-REQ7 Electric and Magnetic <u>Fields Emissions</u></p> <p>...</p>	...
EI-R11	Upgrading of Existing Above Ground Network Utilities	
All Zones	<p>Activity Status: PER</p> <p>1. Upgrading or expansion of existing above ground network utilities (excluding any access track extension), <u>except where provided for under EI-R19</u>⁷³</p> <p>Where:</p> <p>....</p> <p>d. The diameter or width of the replacement pole does not exceed twice that of the replaced pole at its widest point, and; where a single pole is replaced with a pi <u>or H</u> pole, the width of the pi <u>or H</u> pole structure⁷⁴-must not exceed three times that of the replaced pole at its widest point.</p> <p>e. ...</p> <p>f. The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi replacement pole structure⁷⁵-provided for in d. above.</p>	<p>Activity status when compliance not achieved:</p> <p>...</p>

⁷² DPR-0101.009 Chorus and DPR-0367.206 Orion

⁷³ DPR-0367.208 Orion

⁷⁴ DPR-0367.208 Orion

⁷⁵ DPR-0367.208 Orion

	<p>g. The <u>largest</u>⁷⁶ face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent.</p> <p>...</p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p>EI-REQ6 Radio <u>Fields</u> Emissions</p> <p>EI-REQ7 Electric and Magnetic <u>Fields</u> Emissions</p> <p>...</p>	
EI-R12	Public Telecommunication Kiosks	
All Zones	<p>....</p> <p>Where this activity complies with the following rule requirements</p> <p>....</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p> <p>EI-REQ7 Electric and Magnetic <u>Fields</u> Emissions</p> <p>...</p>	...
EI-R13	Small Cell Units	
All Zones	<p>....</p> <p>Where this activity complies with the following rule requirements</p> <p>....</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p> <p>EI-REQ7 Electric and Magnetic <u>Fields</u> Emissions</p> <p>EI-REQ12 Structures in Special Areas</p> <p>EI-REQ14 Reflectivity</p> <p>EI-REQ15 Height⁷⁷</p> <p>...</p>	...
EI-R14	Telecommunication Cabinets	
All Zones	<p>....</p> <p>Where this activity complies with the following rule requirements</p> <p>....</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p>	...

⁷⁶ DPR-0101.011 Chorus

⁷⁷ DPR-0101.012 Chorus

	EI-REQ7 Electric and Magnetic <u>Fields Emissions</u> ...	
EI-R15	Electricity Cabinets, Kiosks, Transformers, Switchgear and EV Charging Stations	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment or a new, or expansion of an existing electricity cabinet, <u>electricity kiosk, transformer, switchgear</u> or electric vehicle charging station.</p> <p>Where: The <u>electricity cabinet, electricity kiosk, transformer, switchgear</u>⁷⁸ or station does not exceed:</p> <ul style="list-style-type: none"> a. 2m in height; and b. 10m² in area. <p>And this activity complies with the following rule requirements: ... EI-REQ7 Electric and Magnetic <u>Fields Emissions</u> ...</p>	...
EI-R16	Electricity Generators and Mobile Equipment to Supply Important Infrastructure	
All Zones	<p>Activity Status: PER</p> <p>1. The operation of any electricity generator and mobile equipment (including vehicles) to supply important infrastructure.</p> <p>Where:</p> <ul style="list-style-type: none"> a. The equipment is: <ul style="list-style-type: none"> i. being tested and maintained for a period not exceeding 48 hours in duration; or ii. to provide back-up electricity during routine or scheduled maintenance for a period not exceeding 48 hours; or <u>for longer than 48 hours where that use complies with the noise limits specified between 0700 hours and 2200 hours relevant to the underlying zone; or</u>⁷⁹ 	...

⁷⁸ DPR-0367.209 Orion

⁷⁹ DPR-0367.210 Orion

	iii. for emergency purposes only (not the primary electricity supply) and operates for a maximum of 12 months.	
EI-R17	Telecommunication Poles and Attached Antennas	
All Zones	<p>....</p> <p>And this activity complies with the following rule requirements:</p> <p>....</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p> <p>EI-REQ7 Electric and Magnetic Fields <u>Emissions</u></p> <p>...</p> <p>EI-REQ13 Height in Relation to Boundary⁸⁰</p> <p>...</p>	...
EI-R18	Building Attached Antennas	
All Zones	<p>Activity Status: PER</p> <p>1. The attachment of an antenna to a building, where the activity is not regulated by the NESTF.</p> <p>Where:</p> <p>a. The face area (<u>largest face</u>) of a panel antenna does not exceed 1.5m²; and</p> <p>b. A dish antenna does not exceed a diameter of 1.2m; and</p> <p>c. The antenna does not exceed a height of 4m <u>for residential zones</u> and 5m <u>for all other zones</u>,⁸¹ above the point of attachment to the building.</p> <p>And this activity complies with the following rule requirements:</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p> <p>EI-REQ7 Electric and Magnetic Fields <u>Emissions</u></p> <p>...</p>	...
EI-R19	Overhead Telecommunication Lines, Electricity Distribution Lines, and Associated Support Structures and Equipment	
RESZ NCZ LCZ DPZ	<p>...</p> <p>And this activity complies with the following rule requirements:</p> <p>....</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p>	...

⁸⁰ DPR-0101.014 Chorus

⁸¹ DPR-0101.015 Chorus

GRASZ KNOZ MPZ PRZ TEZ	EI-REQ7 Electric and Magnetic <u>Fields Emissions</u> ...	
GRUZ TCZ GIZ LFRZ PORTZ	<p>Activity status: PER</p> <p>5. The establishment of a new, or the expansion of an existing overhead telecommunication line, electricity distribution line, and associated support structures and equipment.</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity does not exceed a maximum height of: <ul style="list-style-type: none"> i. 25m for any <u>telecommunication or</u> electricity distribution line and associated support structure.;or ii. 25m if there is a single operator, or 30m if there is more than one operator, for any telecommunications line and associated support structure within the General Industrial Zone; or iii. 35m if there is a single operator, or 40m if there is more than one operator, for any telecommunications line and associated support structure within the General Rural Zone.⁸² b. The development is a pole mounted transformer, it does not exceed a volume of 2m³. <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p>EI-REQ6 Radio <u>Emissions Fields</u></p> <p>EI-REQ7 Electric and Magnetic <u>Fields Emissions</u></p> <p>...</p>	...
EI-R20	Electricity Transmission Lines and Associated Support Structures and Equipment	
All Zones	Activity Status: DIS	...

⁸² DPR-0101.016 Chorus

	1. The establishment of a new, or expansion of an existing electricity transmission line, or their and its associated support structure or equipment ⁸³ .	
EI-R21	Substations and Switching Stations	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or expansion of any existing substation or switching station.</p> <p>Where:</p> <p>a. The activity <u>substation or switching station building footprint</u>⁸⁴ does not exceed an area of:</p> <p>...</p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p>EI-REQ7 Electric and Magnetic <u>Fields Emissions</u></p> <p>...</p>	...
EI-R22	Environmental Monitoring Equipment Associated with a Network Utility	
All Zones	<p>....</p> <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p>NH-REQ5 Natural Hazards and Infrastructure</p> <p>...</p>	
EI-R26	Artificial <u>Watercourse</u> Waterways and Associated Structures	
All Zones	<p>Activity Status: PER</p> <p>1. The establishment of a new, or the expansion, maintenance, or repair of an existing artificial waterway <u>watercourse</u> or associated structure (including outfall structures, water storage, conveyance of water for stock or irrigation, and land drainage purposes) by a network utility operator.⁸⁵</p> <p>...</p>	...

⁸³ DPR.0446.044 Transpower

⁸⁴ DPR-0367.213 Orion

⁸⁵ DPR-0353.095 HortNZ and DPR-0422.112 Fed Farmers

EI-R27	Other Network Utility Structure	
All Zones	<p>....</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p>EI-REQ6 Radio Emissions <u>Fields</u></p> <p>EI-REQ7 Electric and Magnetic <u>Fields</u> Emissions</p> <p>...</p>	...
EI-29	Renewable Electricity Generation – Coleridge HEPS	
All Zones	<p>Activity status: PER</p> <p>4. Renewable electricity generation or electricity generation activities at Coleridge HEPS including:</p> <p>a. any new building or addition, operation, maintenance, refurbishment, enhancement, or upgrading to an existing building <u>or associated structure; and</u></p> <p>b. <u>environmental monitoring equipment or structures; and</u></p> <p>c. <u>any official sign or sign necessary for the safe and efficient operation of electricity generation activities.</u></p> <p>Where:</p> <p>a. The activity is:</p> <p>i. less than 50m² in area or <u>the existing a-floor area or no more than 20% larger is not increased by more than 25%; and</u></p> <p>ii. less than 8 metres in height <u>no greater than the existing height of the structure; and</u></p> <p>iii. if incorporating any new noise generating infrastructure, is setback at least 250m from the notional boundary of any lawfully established sensitive activity located in the General Rural Zone.</p> <p>And this activity complies with the following rule requirements:</p> <p><u>EI-REQ3 Works to and around Notable Trees</u>⁸⁶</p> <p>...</p>	...

⁸⁶ DPR-0441.043 Manawa Energy and DPR-0441.046 Manawa Energy

EI-R30	Small and Community-Scale Electricity Generation, and Small and Community-Scale Electricity Generation Activities	
All Zones (excluding DPZ)⁸⁷	... And this activity complies with the following rule requirements: EI-REQ7 Electric and Magnetic <u>Fields Emissions</u>
EI-R31	Other Renewable Electricity Generation and Renewable Electricity Generation Activities	
All Zones (excluding DPZ)⁸⁸

EI-Rule Requirements

EI-REQ1	Access to a National Grid Support Structure	
All Zones	1. Any activity, structures or earthworks undertaken within the National Grid Yard shall not result in vehicular access to a National Grid support structure being permanently obstructed. ⁸⁹	...
EI-REQ2	Fence Separation to National Grid Support Structure	
All Zones	1. Any fence consisting of conductive materials shall be setback a minimum of 6m from a National Grid support structure.	Activity status when compliance not achieved: 2. When compliance with any o EI-REQ1.1. is not achieved: NC ⁹⁰
EI-REQ2	New Zealand Electrical Code of Practice for Electrical Safe Distances	
All Zones	1. <u>The requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP24:2001) must be met.</u>	Activity status when compliance not achieved: 2. When compliance with of EI-REQ2. is not achieved: NC ⁹¹
EI-REQ6	Radio Frequency <u>Fields Emissions</u>	
All Zones	
EI-REQ7	Electric and Magnetic <u>Fields Emissions</u>	
All Zones	
EI-REQ8	Historic Heritage	
All Zones	1. Any works All activities that involves a heritage item or within the setting of a heritage item listed in HH-SCHED2 is limited to earthworks for a customer connection, or repairs and maintenance and is are limited to:	...

⁸⁷ DOR-0370.029 Fonterra and DPR-0420.004 Synlait⁸⁸ DPR-0370.029 Fonterra⁸⁹ DPR-0353.097 HortNZ and DPR-0422.113 Fed Farmers⁹⁰ DPR-0446.049 Transpower, DPR-0353.099 HortNZ, DPR-0422.144 Fed Farmers⁹¹ DPR-0446.065 Transpower

	<ul style="list-style-type: none"> a. <u>Earthworks for a customer connection, or repairs and maintenance of an existing customer connection;</u>⁹² b. a Replacement or mending in-situ decayed or damaged heritage fabric, using materials which resemble the form, appearance, and profile of the heritage fabric as closely as possible; and c. b Repainting of existing painted surfaces; <u>and</u> d. c Cleaning or washing of the exterior of a heritage item provided this does not involve the use of abrasive materials or techniques, such as sandblasting; e. d The use of any temporary scaffolding <u>that</u>: <ul style="list-style-type: none"> i. a is not fixed to the heritage item; and ii. b would be used in a way that would cause damage to the heritage item.⁹³ 	
EI-REQ14	Reflectivity	
GRUZ	<ul style="list-style-type: none"> 1. Any structure shall have a reflectivity value no greater than 37%, <u>excluding telecommunication lines.</u> 2. <u>Any telecommunication pole and antenna shall be finished in a non-reflective colour or a surface which weathers to a colour of green, brown or grey.</u>⁹⁴ 	...
EI-REQ16	Site and Zone Boundary Setbacks	
GRUZ TEZ GRAZ SKIZ MPZ	<ul style="list-style-type: none"> 1. Any structure shall be setback a minimum of: <ul style="list-style-type: none"> a. 10m from the boundary of any strategic road <u>State Highway or Arterial Road</u>⁹⁵; and
EI-REQ17	Telecommunication Pole and Antenna Height	
All Zones	<ul style="list-style-type: none"> 1. The combined height of the telecommunications pole and any attached antenna complies with EI-Table 1, <u>with the exception of any lightning rod.</u>⁹⁶ 	...

⁹² DPR-0367.191 Orion and DPR-0446.055 Transpower

⁹³ DPR-0367.191 Orion and DPR-0446.055 Transpower

⁹⁴ DPR-0101.023 Chorus

⁹⁵ DPR-0454.009 CPW

⁹⁶ DPR-0101.024 Chorus

EI-Matters for Control or Discretion

EI-MAT1	General Matter
All Zones	<ol style="list-style-type: none"> 1. The functional <u>and operational</u>⁹⁷ needs of, and benefits derived from the important infrastructure. 2.
EI-MAT4	Subdivision and Energy and Infrastructure
All Zones	<ol style="list-style-type: none"> 1. The nature of the consent notice or other mechanism proposed to ensure that sensitive activities are established at a distance or in a position that does not adversely affect the existing electricity lines 2. The degree to which the subdivision design, including the location of roads and reserves, recognises and provides for <u>the ongoing efficient operation, maintenance, development and upgrade of existing electricity transmission lines and electricity distribution lines, including the ability for continued so that reasonable access to the lines is maintained for maintenance, inspection and upgrading.</u> 3. <u>The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of building platforms.</u> 4. <u>The nature and location of any proposed vegetation to be planted in the vicinity of the electricity transmission line or electricity distribution line.</u> 5. <u>The outcome of any consultation with the owner of the electricity transmission line or electricity distribution line.</u>⁹⁸
EI-MAT5	Earthworks in the National Grid Yard
All Zones	<ol style="list-style-type: none"> 1. <u>The effects on the operation, maintenance, upgrade and development of the National Grid, including risks associated with temporary activities such as the use of mobile machinery.</u> 2. <u>The risks to the structural integrity of the National Grid.</u> 3. <u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u> 4. <u>The volume, area and location of the works, including temporary activities such as stockpiles.</u> 5. <u>The duration of the works.</u> 6. <u>The site remediation proposed.</u> 7. <u>The outcome of any consultation with Transpower New Zealand Limited.</u>⁹⁹

⁹⁷ DPR-0441.059 Manawa Energy

⁹⁸ DPR-0446.066 Transpower

⁹⁹ DPR-0446.047 Transpower and included in the Transpower post-hearing correspondence dated 5 October 2021

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0101	Chorus NZ Limited, Spark NZ Trading Limited & Vodafone NZ Limited	Graeme McCarrison Chris Horne	Representative Planner
DPR-0353	Horticulture New Zealand	Lynette Wharfe	Planner
DPR-0367	Orion New Zealand Limited	Jo Appleyard Amy Hill Garry Heyes Simon Harris Melanie Foote	Counsel Counsel Representative Economics Planner
DPR-0371	Christchurch International Airport Limited	Jo Appleyard Amy Hill Felicity Blackmore Phillip Shaw Dr Leigh Bull Phillip Osborne Matt Bonis	Counsel Counsel Representative Birdstrike Birdstrike Economics Planner
DPR-0422	Federated Farmers of New Zealand	Elisha Young-Ebert	Representative
DPR-0441	Manawa Energy Limited	Shelby Macfarlane-Hill Nicola Foran Roma Calland	Representative Representative Planner
DPR-0446	Transpower	Nicky McIndoe Rebecca Eng Nisa Titus Ainsley Mcleod	Counsel Representative Engineering Planner

Tabled Evidence

Sub #	Submitter	Author	Role
DPR-0300	Department of Corrections	Maurice Dale	Planner
DPR-0370	Fonterra Limited	Brigid Buckley Susannah Tait	Representative Planner
DPR-0372	Dairy Holdings Limited	Ben Williams	Counsel
DPR-0375	Waka Kotahi NZTA	Gemma Kean	Planner
DPR-0378	Ministry of Education	Hugh Loughnan	Planner
DPR-0414	Kainga Ora – Homes and Communities	Lauren Semple	Counsel
DPR-0415	Fulton Hogan	Tim Ensor	Planner
DPR-0420	Synlait Milk Limited	Ewan Chapman Yves Denicourt	Counsel Representative
DPR-0427	Director General of Conservation	Amelia Ching	Planner
DPR-0448	New Zealand Defence Force	Rebecca Davies Karen Baverstock	Representative Planner
DPR-0453	Midland Port, Lyttelton Port Company Limited	Jo Appleyard Kim Kelleher	Counsel Representative