

**In the Environment Court of New Zealand  
Auckland Registry**

**I Te Kooti Taiao O Aotearoa  
Tāmaki Makaurau Rohe**

**ENV-2023-AKL-**

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Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule to the Act

Between **Transpower New Zealand Limited**  
Appellant

And **Central Hawke's Bay District Council**  
Respondent

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**Notice of appeal by Transpower New Zealand Limited**

Dated 7 July 2023

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**To**                           The Registrar  
                                  Environment Court  
                                  Auckland

- 1       Transpower New Zealand Limited (**'Transpower'**) appeals against part of the decision (**'the Decision'**) of the Central Hawke's Bay District Council (**'the Respondent'**) on the proposed Central Hawke's Bay District Plan (**'the Proposed Plan'**). Transpower owns and operates the National Grid, and has a number of assets in the Central Hawke's Bay District, including:
  - a       Fernhill – Woodville A 110kV transmission line (FHL-WDV A);
  - b       Fernhill – Woodville B 110kV transmission line (FHL-WDV B);
  - c       Waipawa Substation on Onga Onga Road.
- 2       Transpower made a submission (S79) and further submission (FS18) on the Proposed Plan.
- 3       Transpower is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**'RMA'**).
- 4       Transpower received notice of the Decision on 25 May 2023.
- 5       The Decision was made by the Respondent.

#### **Provisions being appealed**

- 6       The part of the Decision that Transpower is appealing against relates to managing the effects of third party activities on the operation, maintenance, upgrading and development of the National Grid and, in particular, the standards for the National Grid Yard rules.
- 7       In particular, Transpower appeals the part of the Decision on the following provisions of the Proposed Plan:
  - a       GRUZ-S13; and
  - b       RPROZ-S15.

#### **General reasons for the appeal**

- 8       The reasons for this appeal are that, in the absence of the relief sought, the part of the Decision being appealed against:

- a will not promote the sustainable management of resources, and will not achieve the purpose of the RMA;
  - b is contrary to Part 2 and other provisions of the RMA;
  - c will not meet the reasonably foreseeable needs of future generations;
  - d will not promote the efficient use and development of natural and physical resources;
  - e will not achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
  - f will not give effect to the National Policy Statement on Electricity Transmission ('**NPSET**'); and
  - g does not represent the most appropriate way of exercising the Respondent's functions, having regard to the efficiency and effectiveness of other reasonably practicable options, and is therefore not appropriate in terms of section 32 and other provisions of the RMA.
- 9 In addition, the part of the Decision being appealed against does not give full effect to the NPSET as required by section 75(3)(a) of the RMA, particularly:
- a The Objective of the NPSET with regard to facilitating the operation, maintenance and upgrade of the National Grid in order to meet the needs of present and future generations, while managing the adverse environmental effects of the network and managing the adverse effects of other activities on the network;
  - b Policy 1, with regard to recognising and providing for the national, regional, and local benefits of sustainable, secure, and efficient electricity transmission;
  - c Policy 2, with regard to recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
  - d Policy 10, which requires decision-makers to manage third party activities 'to the extent reasonably possible', in order to ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised; and

- e Policy 11 which requires a National Grid buffer corridor to be established within which sensitive activities will 'generally not be provided for'.

### **Reasons for appeal of particular provisions**

- 10 Without limiting the generality of the above, Transpower's particular reasons for appealing the identified provisions are set out below.
- 11 **GRUZ-S13** and **RPROZ-S15** do not adequately prevent underbuild and do not ensure the operation, maintenance, upgrade and development of the National Grid is not compromised. These are the standards for the National Grid Yard rules (effectively the National Grid Yard rule). Transpower seeks the setback for all buildings and structures from poles forming part of National Grid support structure should be 12m and not 10m (with specified exceptions) for the following reasons:
  - a The setback needs to go further than the engineering safety distances of NZECP 34:2001 which only provides for the minimum safe electrical distances for smaller buildings and structures and some activities around transmission lines;
  - b The 12m setback will ensure access is maintained, the line is not compromised, and that health and safety issues do not result; and
  - c A 12m setback from all National Grid support structures is also consistent with the definition of 'National Grid Yard' in the Proposed Plan.

### **Relief sought**

- 12 Transpower seeks the following relief:
  - a Amendments to the specified and any related provisions in order to address the general reasons for the appeal and the reasons for appeal of particular provisions set out above;
  - b The amendments set out in **Appendix A** to this appeal; and/or
  - c Such further or alternative relief, or ancillary changes, that give effect to the NPSET and resolve the concerns set out in this appeal.
- 13 Transpower attaches the following documents to this notice:
  - a The amendments proposed to address Transpower's concerns (**Appendix A**);

- b A copy of Transpower's submission and further submission on the Proposed Plan (**Appendix B**);
- c A copy of the relevant parts of the Decision (**Appendix C**); and
- d A list of names and addresses of persons to be served with a copy of this notice (**Appendix D**).

**Dated** 7 July 2023



**Nicola McIndoe/ Liam Bullen**

Counsel for Transpower New Zealand Limited

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Contact person: Nicky McIndoe/ Liam Bullen

**Advice to recipients of copy of notice of appeal**

*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Act.

You may apply to the Environment Court under [section 281](#) of the Act for a waiver of the above timing or service requirements (see [form 38](#)).

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

## Appendix A Relief sought

Provision (Decisions version)	Relief sought (shown in red underline and strikethrough)
GRUZ-S13	<p>1. Under the National Grid conductors (wires):</p> <ol style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must:           <ol style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ol> </li> <li>b. all buildings or structures permitted by a. must comply with the following conditions:           <ol style="list-style-type: none"> <li>i. demonstrate that safe electrical clearance distances required by <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> are maintained under all National Grid line operating conditions.</li> <li>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</li> </ol> </li> </ol> <p>2. Around National Grid support structures: buildings and structures permitted under clause <del>2 1</del> above must be set back at least 12m from the outer visible edge <del>of a tower, or 10m from a single pole, forming part</del> of a National Grid support structure, except where the building or structure is:</p> <ol style="list-style-type: none"> <li>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>b. an artificial crop protection structure or crop support structure between 8m and 12m from a pole support structure and any associated stay wire, that:       <ol style="list-style-type: none"> <li>i. meets the requirements of the <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> for separation distances from the conductor;</li> <li>ii. is no more than 2.5m high;</li> <li>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary</li> </ol> </li> </ol>

Provision (Decisions version)	Relief sought (shown in red underline and strikethrough)
	<p>for maintenance and emergency repair purposes; and</p> <p>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> to be located within 12m of a tower or 8m of a pole support structure.</p>
RPROZ-S15	<p>1. Under the National Grid conductors (wires):</p> <p>a. on all sites within any part of the National Grid Yard, all buildings and structures must:</p> <p>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</p> <p>ii. be a fence less than 2.5m high; or</p> <p>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</p> <p>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</p> <p>b. all buildings or structures permitted by a. must comply with the following conditions:</p> <p>i. demonstrate that safe electrical clearance distances required by <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> are maintained under all National Grid line operating conditions.</p> <p>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</p> <p>2. Around National Grid support structures: buildings and structures permitted under clause <u>2.1</u> above must be set back at least 12m from the outer visible edge of a <del>tower, or 10m from a single pole, forming part of a</del> National Grid support structure, except where the building or structure is:</p> <p>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</p>



Provision (Decisions version)	Relief sought (shown in red underline and strikethrough)
	<ul style="list-style-type: none"> <li>b. an artificial crop support structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> <li>i. meets the requirements of the <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> for separation distances from the conductor;</li> <li>ii. is no more than 2.5m high;</li> <li>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</li> <li>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</li> </ul> </li> <li>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of <i>NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> to be located within 12m of a tower or 8m of a pole support structure.</li> </ul>

**Appendix B      Transpower's submission and further submission**

# Submission by Transpower New Zealand Ltd on the Proposed Central Hawke's Bay District Plan

August 2021

*Keeping the energy flowing*



TRANSPOWER





## Proposed District Plan submission form

Remember submissions close on Friday 6 August 2021 at 5pm.

Clause 6 of the First Schedule, Resource Management Act 199.

Feel free to add more pages to your submission to provide a fuller response.

To: Central Hawke's Bay District Council			
1. Submitter details			
Full Name	Last	First	
Company/Organisation (if applicable)	<b>Transpower New Zealand Ltd</b>		
Contact Person (if different)	<b>Rebecca Eng</b>		
Email Address	<b>Environment.Policy@transpower.co.nz</b>		
Address	<b>PO Box 17215, Greenlane, Auckland</b>	Postcode	<b>1546</b>
Phone	Mobile	Home	Work <b>09 590 7072</b>
2. This is a submission on the Proposed District Plan for Central Hawke's Bay			
3. <del>I could</del> — <b>Transpower NZ Ltd could not</b> gain an advantage in trade competition through this submission			
<i>If you could gain an advantage in trade competition through this submission please complete point 4 below:</i>			
4. <input type="checkbox"/> I am <input type="checkbox"/> I am not – directly affected by an effect of the subject matter of the submission that:			
(a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. <i>(Please tick relevant box if applicable)</i>			
<i>Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.</i>			
5. <b>Transpower NZ Ltd</b> wish to be heard in support of its submission in person			
6. <b>Transpower NZ Ltd</b> will not consider presenting a joint case with other submitters, who make a similar submission, at a hearing.			
7. Do you wish to present your submission via Zoom? Yes No - <b>Potentially but will depend on the hearing schedule and s42A Report recommendations.</b>			
8. Please complete section below <i>(insert additional boxes per provision you are submitting on):</i>			
The specific provision of the plan that my submission relates to:			
<input type="checkbox"/> <input type="checkbox"/>			
<b>Refer attached.</b>			
Do you: Support Oppose Amend <i>(Please tick relevant box)</i> <b>Refer attached.</b>			
What decision are you seeking from Council? <b>Refer attached</b>			
Reasons: <b>Refer attached.</b>			
Please note: All submissions will be treated as public documents and will be made available on Council's website. However, you may request that your contact details (but not your name) be withheld. If you want your contact details withheld, please let us know by ticking <input type="checkbox"/> this box.			

www.chbdc.govt.nz • districtplan@chbdc.govt.nz • 06 857 8060

PO Box 127 • 28 - 32 Ruataniwha Street, Waipawa 4210



**CENTRAL HAWKE'S BAY**  
DISTRICT COUNCIL

## **SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON THE PROPOSED CENTRAL HAWKE'S BAY DISTRICT PLAN 2021**

### **Overview**

The following provides specific submission points from Transpower New Zealand Limited ("**Transpower**") on the Proposed Central Hawke's Bay District Plan ("**PDP**").

This submission follows on from comments made in July 2019 on the draft plan (and the informal hearing held in February 2020) and has been prepared to assist the Council in ensuring the planning framework under the PDP appropriately recognises and provides for the National Grid. Specifically, from Transpower's perspective, the provisions of the PDP need to ensure that it:

- Gives effect to the National Policy Statement on Electricity Transmission 2008 ("**NPSET**" or "**NPS**");
- Recognises the need to sustainably manage the National Grid as a physical resource of national significance;
- Recognises the benefits of the National Grid at local, regional and national levels; and
- Provides for the effective operation, maintenance, upgrading and development of the National Grid.

In general, the approach adopted in the PDP is broadly supported by Transpower; specifically, the provision of a framework of objectives, policies and rules that recognises and appropriately provides for the National Grid. In particular, the inclusion of provisions specific to the National Grid are supported, and the provision of a buffer corridor management approach. However, Transpower considers that a number of refinements are still required to better reflect the direction and scope of the NPSET in the PDP. Transpower would also support the location of all the relevant National Grid provisions within the NU - Network Utilities Chapter.

### **Introduction to Transpower**

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. The National Grid links generators directly to distribution companies and major industrial users, feeding electricity to the local networks that distribute electricity to homes and businesses. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 12,000 km of transmission lines and approximately 170 substations, supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

Transpower's Statement of Corporate Intent for July 2020 to June 2023, states that:

*Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:*

- *As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*
- *As system operator, to operate a competitive electricity market and deliver a secure power system*

In line with these objectives, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to seek security of supply, thereby contributing to New Zealand's economic and social aspirations. It has to be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient district plan where it may affect the National Grid, including possible future changes.

### **Central Hawke's Bay District Transmission Assets**

Transpower has a number of overhead and underground transmission line, substation and telecommunications assets within the Central Hawke's Bay District, comprising the following:

- Fernhill - Woodville A 110kV transmission line (FHL-WDV A);
- Fernhill - Woodville B 110kV transmission line (FHL-WDV B); and
- Waipawa Substation on Onga Onga Road

Both the above lines are primarily on single circuit poles, with single and double circuit steel towers used for river crossings.

The substation is presently subject to a designation that Transpower has requested to be "rolled-over" as part of the Plan review process (clause 4 of the First Schedule of the Resource Management Act 1991 (RMA)).

Attached as Appendix 1 is a map of Transpower's assets in the Central Hawke's Bay District.

### **Statutory Framework**

#### **National Policy Statement on Electricity Transmission**

The National Policy Statement on Electricity Transmission was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the RMA duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as Appendix 2.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, district councils have to work through how to make appropriate provision for the National Grid in their district plans.

The one objective of the NPSET is as follows:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- a. Managing the adverse environmental effects of the network; and*

*b. Managing the adverse effects of other activities on the network.*

The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environment effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid including the establishment of new National Grid assets is explicitly recognised in the NPSET.

Policy 1 of the NPSET provides that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy, development and use of new electricity generation, and enhanced supply.

Policies 2 to 9 provide RMA decision-makers direction for managing the environmental effects of transmission activities.

Recognition of the development of the National Grid is also required in Policy 2 of the NPSET, in that "decision makers must recognise and provide for ... the development of the electricity transmission network". Policy 2 is as follows:

*In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.*

Policies 3 to 5 contain matters to which decision-makers must consider or have regard to, including:

- the constraints imposed on avoiding, remedying or mitigating adverse effects by the technical and operational requirements of the network
- the role of the route, site and method selection process in avoiding, remedying or mitigating adverse effects for new or major upgrades of transmission infrastructure, and
- the enablement of the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

Policies 6 to 8 relate to Transpower's responsibilities under the NPSET, with Policy 6 promoting the reduction of existing adverse effects where substantial upgrades of transmission line infrastructure are undertaken. Policies 7 and 8 relate to circumstances in which the effects of transmission infrastructure could be reduced, minimised or avoided in urban and rural environments. Policy 9 specifically relates to standards for dealing with electric and magnetic fields.

Policy 8 of the NPSET directs that within rural environments, planning and development of the National Grid should seek to avoid adverse effects on certain identified environments (being outstanding natural landscapes, area of high natural character and recreation values and amenity and existing sensitive activities) areas. The wording of NPSET Policy 8 ("should seek to avoid") does not impose an absolute requirement for the National Grid to avoid all adverse effects. Rather, the NPSET recognises total avoidance is not always possible given the technical and operational requirements of the National Grid (as recognised in Policy 3 of the NPSET).

Policy 8 is as follows:

*In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.*

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address. Policy 10 is as follows:

*In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.*

Policy 11 relates to the development of buffer corridors, and is as follows:

*Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).*

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Policies 13 and 14 relate to the long-term strategic planning for transmission assets. Under Policy 14, regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Section 75(3)(a) of the RMA requires that district plans must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it<sup>1</sup>.

It is therefore a requirement that local policy reflects national direction and that the local policy is effective in helping support the integrated management of natural and physical resources within the district, as well as across the region as a whole.

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

The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 ("NESETA") came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines (which are typically designated).

Activities covered by the NESETA are activities relating to the operation, maintenance, upgrading, relocation or removal of an existing transmission line, including:

- a construction activity
- use of land or occupation of the coastal marine area
- activities relating to an access track to an existing transmission line
- undergrounding an existing transmission line.

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. The NESETA regulates how Transpower's existing lines in the District are developed and maintained, rather than the District Plan Rules.

<sup>1</sup> Environmental Defence Society Inc v the New Zealand King Salmon Co Ltd [2014] NZSC 38, [2014] 1 NZLR593 (*King Salmon*) Most recently, reaffirmed in Royal Forest and Bird Protection Society of NZ Inc v Bay of Plenty Regional Council [2017] NZHC 3080 [12 December 2017]

### *Other Regulations*

Regulation 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, section 2(i) further acknowledges the importance of Transpower's National Grid assets, requiring Transpower to be directly served notice of applications or reviews that are publicly notified and that may affect the National Grid.

### **Specific Submission Points**

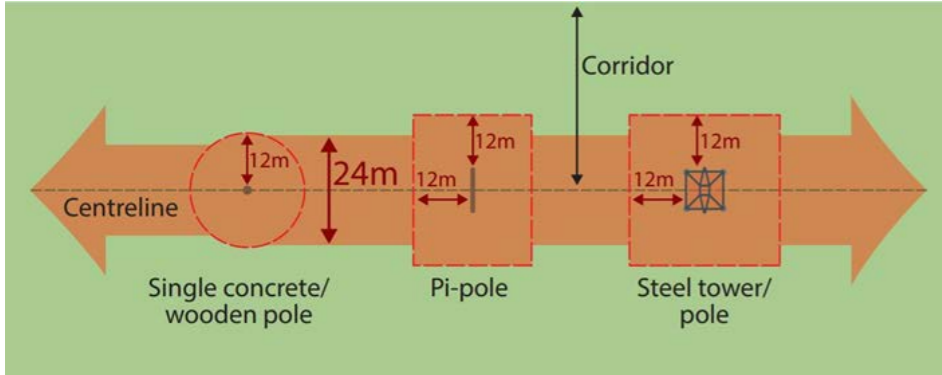
Transpower is broadly supportive of the PDP. However, there are some amendments sought by Transpower in this submission that would give effect to the NPSET. A number of submissions also seek clarity as to the relationship between the Network Utilities chapters and other chapters in the plan, as well as the relocation of all the National Grid provisions within the NU – Network Utilities chapter.

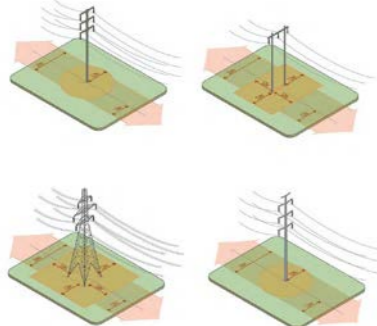
Specific submission points are included below and for the avoidance of doubt, **include any consequential relief** to the specific relief sought. Amendments suggested through these points are shown as red underlined or ~~strike through~~ text.



Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>Part 1 Introduction and General Provisions</b>			
<b>How the Plan Works</b>			
<p><b>Statutory Content – National Level</b>  <i>At the National level the Resource Management Act provides for:</i>  <u>National Policy Statements</u>: which set out policy on matters of national significance relevant to achieving the purposes of the RMA. A number of National Policy Statements have been promulgated and the District Plan must give effect to these.  <u>National Environmental Standards and Regulations</u>: technical standards in the form of regulations which relate to the use, development and protection of natural and physical resources. National and Environmental Standards and regulations are regulations issued under sections 43 and 44 of the RMA and apply nationally. They can prescribe technical standards, methods or other requirements for environmental matters. Each Regional, City or District Council must enforce the same standard. City or District Councils can amend their District Plan or Proposed Plan to include the reference to the National Environmental Standard without using the process set down in Schedule 1 of the RMA (which sets out the process for the preparation, change and review of policy statements and plans).  <u>National Planning Standards</u>: set out requirements or other provisions relating to any aspect of the structure, format, or content of plans prepared under the RMA. The planning standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA). Their development is enabled by sections 58B–58J of the RMA.</p>	Support	Transpower supports reference to the National Instruments.	Retain the Statutory content section.
<b>Interpretation</b>			
<b>Chapter 3: Definitions</b>			
<p><b>BUILDING</b>  <i>means a temporary or permanent movable or immovable physical construction that is:</i>  a) <i>partially or fully roofed; and</i>  b) <i>is fixed or located on or in land;</i>  <i>but excludes any motorised vehicle or other mode of transport that could be moved under its own power.</i></p>	Support	While not directly applicable to the majority of Transpower’s assets, Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of Building
<p><b>EARTHWORKS</b>  <i>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.</i></p>	Support	Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of Earthworks.
<p><b>FUNCTIONAL NEED</b>  <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</i></p>	Support	Given the term ‘Functional need’ is used within the plan, Transpower supports the provision of the definition as provided in the mandatory directions within the National Planning Standards.	Retain the definition of Functional need
<p><b>MAINTENANCE (NETWORK UTILITIES)</b>  <i>to keep in existing order, to prevent loss or deterioration, or to restore to working order. Does not include extending, replacing, removing or demolishing a structure, or any substantive change to the form, orientation, or outline of the structure.</i>  <b>Specifically in relation to network utilities, ‘maintenance’ means:</b>  <i>any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. Also includes the addition of extra lines to existing or replacement poles or other support structures.</i></p>	Support	The definition is supported on the basis it provides clarity for plan users as to what constitutes maintenance, and therefore assists in plan interpretation and application. It is noted the NESETA provides specific provisions for maintenance works to the National Grid which prevail over the PDP rules.	The definition of ‘Maintenance’ be retained.
New definition	Support with amendment	A new definition for Minor Upgrading is sought on the basis it would provide clarity for plan users as to what constitutes minor upgrading, and therefore assists in plan interpretation and application. The term is used within permitted rule NU-R2. It is noted the NESETA provides specific provisions for upgrade works to the National Grid which prevail over the PDP rules.	A definition of ‘Minor upgrading’ be provided.  <b><u>MINOR UPGRADING (NETWORK UTILITIES)</u></b> <u><i>an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures, and includes any of the following activities:</i></u> <ul style="list-style-type: none"> <li>• <u><i>the re-conductoring of the line with higher capacity conductors</i></u></li> <li>• <u><i>the re-sagging of conductors</i></u></li> <li>• <u><i>the addition of longer and more efficient insulators</i></u></li> </ul>



Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
			<ul style="list-style-type: none"> <li>• <u>a support structure placement within a similar location as the support structure that is replaced</u></li> <li>• <u>the addition of earthwire, which may contain telecommunication lines, earthpeaks and lightning rods</u></li> <li>• <u>the addition of electrical or telecommunication fittings</u></li> <li>• <u>support structure replacement in the same location or within the existing alignment of the transmission line corridor</u></li> <li>• <u>the replacement of existing cross arms, including with cross arms of an alternative design of a similar scale</u></li> <li>• <u>an increase in support structure height to achieve compliance with the clearance distances specified in NZECP34:2001</u></li> <li>• <u>the addition of overhead lines to provide individual service connects to a site (including any connection to a building within that site) from an existing overhead network, provided no more than one new support structure is required. Minor upgrading does not include:</u></li> <li>• <u>increasing the carrying capacity of existing structures</u></li> <li>• <u>any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage</u></li> <li>• <u>any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 35 millimetres</u></li> <li>• <u>the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30 millimetres in diameter</u></li> <li>• <u>the addition of any new circuits, lines or utility structures.</u></li> </ul>
<p><b>NATIONAL GRID</b> as defined in the National Policy Statement on Electricity Transmission (2008) (as set out in the box below), and as identified as the 'National Grid Line' on the Planning Maps. <u>means the assets used or owned by Transpower NZ Limited.</u></p>	Support	The definition of 'National Grid' is supported as it provides clarity for plan users as to what is the National Grid. The alignment to the reference shown on the planning maps is supported.	The definition of 'National Grid' be retained.
<p><b>NATIONAL GRID SUBDIVISION CORRIDOR</b> the area measured either side of the centreline of above ground National Grid line as follows:</p> <p>a. 14m for 110kV national grid lines on single poles b. 32m for 110kV transmission lines on towers</p>  <p>The diagram illustrates the National Grid Subdivision Corridor for three types of poles: Single concrete/wooden pole, Pi-pole, and Steel tower/pole. A central dashed line is labeled 'Centreline'. For the single pole, a 12m setback is shown from the centreline to the pole. For the Pi-pole, a 12m setback is shown from the centreline to the pole, and a 24m total width is indicated between the two poles. For the steel tower/pole, a 12m setback is shown from the centreline to the tower. The overall corridor width is shown as 32m for towers and 14m for single poles.</p> <p>The National Grid Subdivision Corridor and National Grid Yard do not apply to underground cables or any underground transmission lines (or sections of line) that are designated by Transpower. The measurement of setback distances from National Grid lines is to be taken from the centre line of the two support structures at each end of the span.</p>	Support	<p>Transpower supports the definitions for National Grid Subdivision Corridor (and the National Grid Yard) as the provision of such definitions give effect to the NPSET. They clearly articulate the framework in which to manage potential adverse effects on the National Grid.</p> <p>The 'National Grid Subdivision Corridor' width within Central Hawke's Bay is based on the distance from the centreline between the support structures to a point where the conductor would swing under possible high wind conditions, and is the swing of the 95th percentile span across the country, as well as other variables. It is important that the swing of conductors can be taken into account in the subdivision process so that the allotment(s) can be safely developed and used. This is why differing widths are provided for different voltage lines.</p> <p>In essence the Corridor is wider than the Yard and the Corridor and Yard overlap.</p>	The definition of 'National Grid Subdivision Corridor' be retained.
<p><b>NATIONAL GRID YARD</b> the area located within 12m in any direction from the outer visible edge of a National Grid support structure foundation or the area located within 10m either side of the centreline of an overhead 110kV National Grid line on single poles or the area located within 12m either side of the centreline of any overhead National Grid line on pi-poles or towers (including tubular steel towers where these replace steel lattice towers). The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated by Transpower New Zealand. The measurement of setback distances from National Grid lines shall be taken from the centerline of the transmission line and from the outer edge of any support structure. The centerline at any point is a straight line between the centre points of the two support structures at each end of the span.</p>	Support with amendment	Transpower supports the definitions for the National Grid Yard (and National Grid Subdivision Corridor) as the provision of such definitions give effect to the NPSET. They clearly articulate the framework in which to manage potential adverse effects on the National Grid.	The definition of 'National Grid Yard' be retained.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
			
<p><b>NATIONALLY SIGNIFICANT INFRASTRUCTURE</b> <i>means:</i></p> <ul style="list-style-type: none"> <li>a. State Highways;</li> <li>b. the National Grid electricity transmission network;</li> <li>c. national renewable electricity generation facilities that connect with the National Grid;</li> <li>d. major gas or oil pipeline services (such as the gas transmission pipeline from Taranaki);</li> <li>e. any railway (as defined in the Railways Act 2005).</li> </ul>	Neutral	<p>The definition of 'Nationally significant infrastructure' is used within assessment matters CE-AM2 and NFL-AM2.3, and Rule ECO-P9<sup>2</sup>. It is assumed the definition within the PDP has been derived from the NPS-UD 2020 with the list confined to that infrastructure which is actually within the district.</p> <p>While Transpower does not have a position on the definition of 'Nationally Significant Infrastructure', it does have concerns as to how the definition is applied in the plan and the implications for that application in terms of giving effect to the NPSET. The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Nationally significant infrastructure provisions.</p> <p>Depending on how the National Grid is addressed in the district plan, Transpower is neutral on the definition and the inclusion of reference to the National Grid.</p> <p>It is noted the PDP references the term "Regionally significant infrastructure" but no definition is provided (nor is one provided in the Regional Policy Statement). Given the National Grid would be considered regionally significant, Transpower does not seek a specific definition. However, there may be benefit in providing a definition for certainty.</p>	On the basis the relief sought in Transpower's other submission points are given effect to, Transpower is neutral on the definition.
<p><b>NETWORK UTILITY OPERATOR OR NETWORK UTILITY OPERATION</b> has the same meaning as in s166 of the RMA (as set out in the box below) means a person who—</p> <ul style="list-style-type: none"> <li>a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or</li> <li>b. operates or proposes to operate a network for the purpose of— <ul style="list-style-type: none"> <li>i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or</li> <li>ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</li> </ul>                     or                 </li> <li>c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or</li> <li>d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</li> <li>e. undertakes or proposes to undertake a drainage or sewerage system; or</li> <li>f. constructs, operates, or proposes to construct or operate, a road or railway line; or</li> <li>g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or</li> <li>h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or</li> <li>i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,—</li> </ul> <p>and the words network utility operation have a corresponding meaning.</p>	Support	Transpower supports the definition as it reflects the mandatory direction definition provided in the National Planning Standards.	Retain the definition of 'Network utility operator'.

<sup>2</sup> ECO-P9

To ensure that new nationally significant infrastructure is not located in areas of significant indigenous vegetation and/or significant habitats of indigenous fauna unless:

1. There is a functional or operational need for the infrastructure to be in that particular location; and
2. The route/site selection process has identified no practicable alternative locations.

Where it is necessary to locate in these areas and where, despite the adoption of the best practicable option, there remain residual adverse effects, biodiversity offsetting measures should be proposed for the purpose of ensuring positive effects on the environment sufficient to offset any residual adverse effects of activities on indigenous biodiversity that will or may result from allowing the activity.

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>OPERATIONAL NEED</b> <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</i>	Support	The term 'Operational need' is used within the plan and is supported. Transpower supports the provision of the definition and notes it reflects the mandatory direction within the National Planning Standards.	The definition of Operational be retained.
<b>SENSITIVE ACTIVITY</b> <i>activities which are sensitive to noise, dust, the use and storage of hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential activities, marae, urupā, visitor accommodation, rest homes, retirement villages, day care facilities, educational facilities and hospitals.</i>	Support with amendment	The definition of 'sensitive activities' is used within the plan, in some provisions being specific to the National Grid. However, the term used in the PDP is wider than that typically sought and applied to the National Grid in respect of reverse sensitivity effects and would inappropriately capture activities beyond those that should be managed near the National Grid. As such, Transpower would support an amendment to the definition to make it clear what activities are included. In particular, Transpower considers that tightening the definition would enable better effect to be given to the rules specific to third party activities within the National Grid. As alternative, Transpower would support a definition sensitive activity specific to the National Grid	The definition be amended as follows.  <i>SENSITIVE ACTIVITY</i> <del>activities which are sensitive to noise, dust, the use and storage of hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential</del> activities, marae, urupā, visitor accommodation, rest homes, retirement villages, day care facilities, educational facilities and hospitals.  Alternately, Transpower would support a definition that is specific to the National Grid.
<b>RENEWABLE ELECTRICITY GENERATION ACTIVITIES</b> <i>the construction, operation, maintenance and upgrading of structures associated with renewable electricity generation. Includes small and community-scale distributed renewable electricity generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</i>	Support	The definition is supported as it provides clarity for plan users as to what are Renewable Electricity Generation Activities. Specifically, the reference to the National Grid is supported as it acknowledges renewable generation activities requires transmission and connections to the National Grid	The definition of 'Renewable Electricity Generation Activities' be retained.
<b>National Direction Instruments</b>			
<b>NATIONAL POLICY STATEMENTS AND NEW ZEALAND COASTAL POLICY STATEMENT</b>  <b>NATIONAL ENVIRONMENTAL STANDARDS</b>	Support	The references and accompanying tables reflect the mandatory direction provided in the National Planning Standards. Transpower supports the provisions.	Retain the reference tables for the national direction instruments.
<b>Part 2 District Wide Matters</b>			
<b>Strategic Direction</b>			
<b>RLR – Rural Land Resource</b>			
<b>RLR-P4</b> <i>To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone</i>	Support with amendment	Transpower largely supports the policy but requests amendment to recognise that some activities (such as the National Grid which is a linear infrastructure network) often require and are more appropriately located within a rural location.	Amend Policy RLR-P4 as follows:  <i>To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not <u>unduly</u> compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone, <u>recognising that some non-primary production activities are more appropriately located within a rural location.</u></i>
<b>Energy, Infrastructure and Transport</b>			
<b>NU – Network Utilities</b>			
<i>NU – Network Utilities Chapter</i>	Support with amendment	Transpower is supportive of a specific Network Utilities Chapter as the provision of a chapter reflects the mandatory direction in the National Planning Standards. As proposed, the majority of the provisions do not specifically address the National Grid, rather group all Network Utilities together. Transpower is not opposed to such an approach. However, in order to give effect to the NPESET, Transpower seeks provisions specific to the National Grid.	Subject to the relief sought in its other submission points, Transpower supports the NU Chapter but also seeks provisions specific to the National Grid, as outlined in its submission.
<i>The provisions in this chapter override the respective Zone provisions in Part 3 Area-Specific Matters, unless otherwise specified in this chapter.</i>  <b>INTRODUCTION</b> <i>The purpose of the Network Utilities chapter is to manage the construction, operation and maintenance of all network utilities. Network utilities are physical resources that provide infrastructure service networks such as water supply, sewerage, trade waste and stormwater drainage networks, roads and rail networks, cycleway and walkway networks, telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, and associated buildings, structures, equipment and customer connections.</i>	Support with amendment	Transpower largely supports the introductory statement which outlines the role, and importance of network utilities. The reference to the NES's is supported, as it clarifies that the NES's prevail (which is the case for the NESETA).  Transpower also supports paragraph 4 of the Introduction which provides that "the network utility provisions in the District Plan provide for the establishment, operation and maintenance of network utilities throughout the District, and manage their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazard). Because many network utilities are lineal, and traverse	That the Introduction be amended as follows: ..... <i>Because many network utilities are lineal, and traverse many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District.</i> <i>Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the National Grid, and gas transmission pipelines) are contained <u>within the Network Utilities provisions of the plan, elsewhere in the District Plan, in the respective zones in Part 3 of the District Plan, and the NOISE – Noise chapter of the District Plan.</u></i> .....

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><i>Network utilities provide essential services and are critical to the efficient and ongoing functioning of the District. They enable communities to undertake everyday activities and functions and allow people to provide for their social, cultural and economic wellbeing and their health and safety.</i></p> <p><i>Under the RMA, the Council is required to manage the effects of the use and development of network utilities on the environment, as it must for other land use activities. Given the essential role of network utilities, it is recognised that network utility operators require certainty as to those works which can proceed without resource consent and those which require consent.</i></p> <p><i>To achieve this, the network utility provisions in the District Plan provide for the establishment, operation and maintenance of network utilities throughout the District, and manage their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazard). Because many network utilities are lineal, and traverse many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District. Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the National Grid, and gas transmission pipelines) are contained elsewhere in the District Plan, in the respective zones in Part 3 of the District Plan, and the NOISE – Noise chapter of the District Plan.</i></p> <p><i>A number of network utility operators, including the Council, also utilise their ability to designate sites for a specified network utility purpose. Designations are identified on the Planning Maps and are listed in the District Plan.</i></p> <p><i>Additional regulatory requirements, separate to the District Plan, are also relevant to network utilities, including:</i></p> <ul style="list-style-type: none"> <li><i>The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case of conflict or perceived conflict with any provision of this plan, the NESETA provisions prevail.</i></li> <li><i>The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF) which apply to Telecommunications infrastructure, such as cabinets, antennas, poles, small-cell units and telecommunications lines. In the case of conflict or perceived conflict with any provision of this plan, the NESTF provisions must prevail.</i></li> <li><i>Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, upgrading and removal of network utility structures in the road.</i></li> <li><i>Compliance with the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34:2001, including any activities that are otherwise permitted by the plan, must comply with this regulation.</i></li> <li><i>Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory. All activities regulated by these regulations, including any activities that are otherwise permitted by the plan, must comply with this regulation.</i></li> <li><i>Connections to a network utility require approval of the relevant network utility operator, and works within roads require approval of the relevant road controlling authority.</i></li> </ul> <p><i>In the case of conflict with any other provision of this Plan, including any rule in this Chapter, the provisions of the NESETA and NESTF must prevail.</i></p>		<p><i>many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District.”. This statement makes it clear that the operation, maintenance, upgrade and development of the National Grid is to be solely addressed in the NU chapter. This approach is supported. However, the above statement is potentially confused by references within the Notes section to the Rules, “Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter”. And “It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise)”. These clauses are confusing in light of the earlier clause saying the NU provisions are stand alone. The relationship between chapters is further confused by Method NU-M1 which includes reference to multiple other PDP chapters that apply to buildings and structures. An amendment is sought to NU-M1 in other submission points.</i></p> <p><i>In respect of the effect of other activities on the National Grid, while the introduction is largely supported, as proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities section, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters). However, there are no corresponding policies or cross references to the Network Utilities Chapter and therefore the rules in the other chapters appear in isolation of any corresponding policy framework. Following the plan philosophy of users not needing to refer to other chapters, as currently proposed, users would not know to refer to, or be directed to refer to, the Network Utilities Chapter to find the related policies.</i></p> <p><i>Transpower’s preference is for a standalone set of provisions within the Network Utilities Chapter as it avoids duplication (in terms of the zone rules) and provides a coherent set of rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions.</i></p> <p><i>A standalone set of provisions as provided in the notified plan is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that ‘provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading’. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities ‘chapter’.</i></p>	<p><b>And</b></p> <p>That clarity be provided as to the relationship of the NU chapter to other chapters in the PDP, and amendments be made to the PDP to clarify the provisions and make the NU chapter stand alone.</p>
<p><b>NU-I1 Essential Role of Network Utilities – Issue</b></p> <p><i>Network utilities have important functions and enable people and communities to provide for their health and safety and social, economic, and cultural wellbeing, but can have adverse effects on the environment, often due to their technical, operational, and location-specific requirements.</i></p> <p><b>Explanation</b></p> <p><i>Network utilities are physical resources which are an essential part of the District's infrastructure in providing for the efficient and ongoing functioning of the District and the social, economic and cultural well-being of people and communities, and for their health and safety. By their nature, network utilities vary in scale and significance, are located above and below ground, are dispersed throughout the District, and often have functional and/or operational needs in order to ensure a safe, efficient, secure and resilient service. This can generate specific locational requirements. The contribution to everyday life, to the economy and to connecting people and communities, including in emergencies, means that provision for the operation and development of network utilities is significant.</i></p>	<p>Support</p>	<p>Transpower supports the issue as it articulates the benefits and importance of network utilities, but also recognises there may be adverse effects on the environment.</p>	<p>That Issue NU-I1 be retained.</p>



Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>NU-I2 Adverse Effects of Network Utilities and Amateur Radio Configuration – Issue</b> <i>Some network utilities and amateur radio facilities can have adverse effects on the environment.</i></p> <p><i>Explanation</i> <i>Network utilities, particularly where small-scale and/or located underground, can have only a minor impact on the environment. Some network utilities and amateur radio facilities can, however, have adverse effects on the environment. These effects may result from land disturbance in establishing them, be generated by the operation itself, or be associated with their ongoing maintenance, upgrading or development. Such effects can include visual amenity and landscape character impacts, particularly where siting in prominent areas is required for transmission or service, risks to public health and safety, and generating nuisance such as noise, vibration, lighting, and traffic effects.</i></p> <p><i>The effects of network utilities and amateur radio configuration can also have greater impact on residential environments than other areas, and on sites of significance throughout the District, such as significant natural areas, outstanding landscape features, historical heritage sites and sites of significance to Maori. The siting of network utilities and amateur radio facilities can also potentially worsen risk in areas subject to natural hazards. Sometimes these adverse effects have to be balanced alongside recognising any special technical requirements or constraints which may limit where a network utility can be sited.</i></p>	Support	Transpower is supportive of the recognition of technical requirements or constraints, and that a balanced approach is required.	That Issue NU-I2 be retained.
<p><b>NU-I3 Effects of Other Activities on Network Utilities - Issues</b> <i>New subdivision, land use and development may impact on the safe and efficient functioning of network utilities.</i></p> <p><i>Explanation</i> <i>New subdivision, land use and development in close proximity to existing network utilities can have the potential to constrain or compromise the efficient or effective operation, maintenance and development of those network utilities. In some instances, this can compromise health and safety through the location of sensitive activities close to network utilities, and through activities not adhering to safe clearances or safe distances from network utilities e.g. from electricity transmission networks (including the National Grid), high pressure gas network, overhead lines and cables, navigational aids, road and railway corridors etc.</i></p>	Support	Transpower supports recognition of the effects of other party activities on network utilities, and in particular the potential for some activities to constrain and compromise network utilities. The issue appropriately recognises that that the issue of adverse effects on the network is wider than solely that of reverse sensitivity. Specific recognition of the National Grid is supported.	That Issue NU-I3 be retained.
<p><b>NU-O1 – Objective</b> <i>Recognise and provide for safe, effective, efficient and resilient network utilities throughout the District that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety and wellbeing.</i></p>	Support	Transpower supports the objective as it recognises the importance and role of network utilities. While not specific to the National Grid, Transpower supports the general application of the objective. The objective is given effect to in policies, specifically policy NU-P1 which references benefits. The objective gives effect to the NPSET. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O1 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-O2 Objective</b> <i>The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).</i></p>	Support	Transpower supports the objective as it recognises the functional and operational needs (which include constraints) of network utilities. While not specific to the National Grid, Transpower supports the general application of the objective. The objective gives effect to the NPSET. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O2 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-O3 Objective</b> <i>The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.</i></p>	Support	The provision of an objective specific to effects on network utilities is supported. In particular, Transpower supports recognition that it is not only reverse sensitivity effects which can compromise network utilities, but also the direct adverse effects of subdivision, land use and development. Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.	That Objective NU-O3 be retained.  <b>Or</b> Should the objective be amended, Transpower would support a specific objective to give effect to the NPSET.
<p><b>NU-P1 Policy</b> <i>Recognise the national, regional and local importance and benefits of network utilities, including as lifeline utilities during an emergency, by:</i></p> <ol style="list-style-type: none"> <li><i>1. enabling the operation, maintenance, repair, minor upgrade or removal of network utilities throughout the District;</i></li> <li><i>2. providing for upgrades to, and the development of new, network utilities;</i></li> <li><i>3. providing flexibility for network utilities to adopt new technologies that improve access to and efficient use of networks and services, allow for re-use of redundant services or structures, increase resilience, safety or reliability, or result in environmental benefits and enhancements; and</i></li> <li><i>4. recognising the functional and operational needs of network utilities.</i></li> </ol>	Support	The recognition of the benefits of Network Utilities is supported, and gives effect to Policy 1 of the NPSET. The remainder of the policy gives effect to Policies 2, 3, and 5 of the NPSET. Should the policy be amended, Transpower would support a specific policy to give effect to the NPSET.	That Policy NU-P1 be retained.  <b>Or</b> Should the policy be amended, Transpower would support a specific policy to give effect to the NPSET.
<p><b>NU-Policies</b> <b>New Policy sought</b></p>	New Policy	Transpower would support the provision of a policy relating to managing the effects of the National Grid electricity transmission network. Such a policy would give effect to Sections 6 and 7 (policies 1 – 8) of the NPSET. In particular: Policy 8 of the NPSET provides that rather than applying a strict 'avoid' approach, the National Grid should 'seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities'. Given the nature of	Inset a new policy as follows: <b>NU-Pa</b> <i>Manage the adverse effects of the planning and development of the National Grid by:</i> <ol style="list-style-type: none"> <li><i>1. Considering the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection process.</i></li> <li><i>2. Having regard to the functional and operational needs of the network.</i></li> </ol>

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		<p>existing assets within the district and very confined nature of existing settlements, the policy approach by Transpower is focused on Policy 8 of the NPSET which relates to rural areas as opposed to Policy 7 (Urban areas).</p> <p>Clause 1. would give effect to NPSET Policy 4. When considering the development of a new line or major upgrades, Transpower undertakes route, site and method selection as part of its options assessment to assess and evaluate various transmission options. Consideration of this assessment when assessing the environmental effects is therefore an important policy consideration. Clause 1. would make it clear that the key consideration is the extent to which adverse effects have been avoided remedy or mitigated. Clause 1. is not specifically addressed within Policy NU-P1 and is appropriately included within an effects policy.</p> <p>Clause 2. would give effect to NPSET Policy 3. When considering measures to avoid, remedy or mitigate adverse effects, decision makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network. Clause 2. is specifically addressed within Policy NU-P1 but is appropriately included within an 'effects' policy as framed in NPSET Policy 3.</p> <p>Clauses 3 and 4. give effect to NPSET Policy 8. Policy 8 provides a 'seek to avoid' approach within more valued areas. Clause 4. also reconciles the NPSET and the NZCPS by providing a policy framework specific to the coastal environment. Clause 5. is a general avoid, remedy or mitigate clause.</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, they do not give effect to the NPSET in terms of recognising the clear policy directives in respect of the National Grid.</p>	<p>3. <i>Seeking to avoid adverse effects on identified High Natural Character Areas, Outstanding Natural Features and Landscapes, Significant Natural Areas, Significant Amenity Features, and areas of high recreational value or high amenity in rural areas.</i></p> <p>4. <i>Seeking to avoid significant adverse effects on other areas of natural character and other natural features and landscapes in the coastal environment.</i></p> <p>5. <i>Avoiding, remedying or mitigating other adverse effects.</i></p> <p><i>In the event of any conflict with any other objectives and policies within the Plan, Policy NU-Pa takes precedence.</i></p>
<p><b>NU-P2 Policy</b> Avoid adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</p> <ol style="list-style-type: none"> <li>1. <i>Historical Heritage Items (in HH-SCHED2) and Notable Trees (in TREE-SCHED4);</i></li> <li>2. <i>Wāhi Tapu, Wāhi Taonga and Sites and Areas of Significance to Māori (in SASM-SCHED3);</i></li> <li>3. <i>Significant Natural Areas (in ECO-SCHED5); and</i></li> <li>4. <i>Outstanding Natural Features and Landscapes (in NFL-SCHED6);</i></li> </ol> <p>while recognising the extent to which adverse effects can be avoided, may be constrained by a network utility's functional or operational needs.</p>	<p>Support with amendment</p>	<p>Given the specific wording and intent of the NPSET, Transpower seeks a specific National Grid policy as sought above (NU-Pa).</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, they do not give effect to the NPSET in terms of recognising the clear policy directives in respect of the National Grid.</p>	<p>On the basis a specific National Grid policy is provided, Transpower is neutral on Policy NU-P2. However, should a specific policy not be provided Transpower seeks amendment to NU-P2 to give effect to the NPSET, including the 'seek to avoid' approach within Policy 8 of the NPSET.</p>
<p><b>NU-P3 Policy</b> Avoid significant adverse effects and remedy or mitigate other adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</p> <ol style="list-style-type: none"> <li>1. <i>High Natural Character Areas (in CE-SCHED7); and</i></li> <li>2. <i>Significant Amenity Features (in NFL-SCHED6);</i></li> </ol>	<p>Support with amendment</p>	<p>Given the specific wording and intent of the NPSET, Transpower seeks a specific National Grid policy as sought above (NU-Pa).</p> <p>The NPSET recognises the national significance of the National Grid and provides a suite of specific policies which are required to be given effect to in the district plan. Transpower's more recent experience is that Councils have tended to adopt standalone National Grid specific policies and rules to recognise the national significance of the National Grid and give effect to the NPSET. Such an approach is supported by Transpower as it removes Transpower from discussions as to the appropriateness of Policies NU-P2 and NU-P3 to all network utilities. As such, while Policies NU-P2 and NU-P3 provide a policy framework for addressing the effects of network utilities, NU-P3 does not give effect to the NPSET.</p>	<p>On the basis a specific National Grid policy is provided, Transpower is neutral on Policy NU-P3. However, should a specific policy not be provided Transpower seeks amendment to NU-P3 to give effect to the NPSET, including the 'seek to avoid' approach within Policy 8 of the NPSET.</p>
<p><b>NU-P4 Policy</b> Manage the effects of network utilities on the environment by:</p> <ol style="list-style-type: none"> <li>1. <i>avoiding, remedying or mitigating adverse effects on:</i> <ol style="list-style-type: none"> <li>a. <i>natural and physical resources;</i></li> </ol> </li> </ol>	<p>Support</p>	<p>Transpower supports Policy NU-P4. In particular it supports clauses 3, 4 and 5 as:</p> <ul style="list-style-type: none"> <li>- Clause 3 'encourages' undergrounding but also recognises that undergrounding is not always technically or commercially viable. It is</li> </ul>	<p>That Policy NU-P4 be retained.</p>

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<p>b. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance;</p> <p>c. the safe and efficient operation of other network utilities, including effects on electricity transmission and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks;</p> <p>d. the health, well-being and safety of people and communities, including from exposure to radio-frequency fields and electric and magnetic fields, and by posing a significant risk or exacerbating an existing risk of natural hazards;</p> <p>2. requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields and electric and magnetic fields;</p> <p>3. encouraging the progressive undergrounding of appropriate network utilities in new areas of development within the General Residential, Rural Lifestyle, Large Lot Residential and Settlement Zones and the systematic replacement of existing overhead services with underground reticulation or the upgrading of existing overhead services within these areas, where this is technically and commercially viable;</p> <p>4. encouraging the co-siting and sharing of masts, facilities, utility corridors and other innovative solutions within residential environments and roads, where technically feasible and practicable; and</p> <p>5. encouraging the removal of redundant and superseded network utility facilities.</p>		<p>noted the policy has limited relevance to Transpower given existing National Grid assets are located outside the zones listed in the policy</p> <ul style="list-style-type: none"> <li>- Clause 4 recognises co-siting, but also recognises that co-siting and sharing is not always practicable. This is particularly relevant to the National Grid which has specific technical, operational and safety requirements which mean co-siting is often not appropriate.</li> <li>- Clause 5 'encourages' removal. It is noted the policy has limited relevance to Transpower given the removal of existing National Grid assets is regulated by the NESET.</li> </ul>	
<p><b>NU-P5 Policy</b> To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:</p> <ol style="list-style-type: none"> <li>1. managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility;</li> <li>2. managing new activities that are sensitive to noise adjoining the railway corridor, the national and regional road network, and within any defined noise contour to avoid reverse sensitivity effects;</li> <li>3. managing access to the railway corridor and to the national and regional road network;</li> <li>4. managing light spill and glare from activities on road users;</li> <li>5. managing land disturbance and activities in the vicinity of gas transmission pipelines;</li> <li>6. managing land use development (including sensitive activities), buildings, structures and subdivision near the National Grid, within the National Grid Yard, or around a designated National Grid substation;</li> <li>7. managing land disturbance, land use development and buildings to maintain safe electrical clearance distances under electricity distributions lines and support structures; and</li> <li>8. ensuring subdivision of sites containing a network activity retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility.</li> </ol>	<p>Support with amendment</p>	<p>Transpower is generally supportive of the policy in that it recognises the adverse effects of subdivision, land use and development on the operation, maintenance, upgrading and development of the National Grid. Such policy recognition largely gives effect to Policies 10 and 11 of the NPSET. NPSET Policy 10 and 11 are to be read together and reflect the National Grid corridor management approach supported by Transpower throughout NZ, that Policy 11 need not be limited solely to the management of sensitive activities</p> <p>Transpower can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines. The policy is also supported in that it recognises that in addition to reverse sensitivity effects, subdivision, land use and development can also compromise the National Grid through activities such as access to the National Grid assets being blocked, buildings and structures being located close to assets and causing risk and safety issues (such as flashovers) or the location of buildings and activities, including 'sensitive activities' such as schools and residential properties, beneath or in close proximity to lines and/or structures can limit Transpower's ability to maintain, upgrade and develop the National Grid.</p> <p>Earthworks (and vertical holes) are an activity which can also adversely affect and compromise the National Grid. Specific to the National Grid, earthworks have the potential to undermine transmission line structures, generate dust, reduce the safe clearances between the ground and conductors. They also have the potential to restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line. It is noted the policy references 'land disturbance' but not earthworks. Given the confined definition of 'land disturbance' in the PDP, Transpower seeks specific reference within the policy to earthworks. It is noted earthworks within the National Grid Yard are managed in the Earthworks chapter (as part of the General District-Wide Matters). However, while there are rules in the EW chapter, there is no specific policy support. Transpower therefore seeks specific policy recognition within NU-P5 (as well as the relocation of the Earthworks rules into the NU chapter – which is sought as a separate submission point).</p> <p>It is noted the policy includes reference to subdivision. While a separate subdivision section is provided in the PDP, Transpower supports reference to subdivision within policy NU-P5. However, for clarity amendment is sought to also include reference to the National Grid Subdivision Corridor as the corridor, not the yard, manages subdivision. The sought amendment to clause 6 to refer to "avoid reverse sensitivity effects and ensure the electricity transmission network is not</p>	<p>That Policy NU-P5 be amended as follows:</p> <p><b>NU-P5 Policy</b> To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:</p> <p>.....</p> <ol style="list-style-type: none"> <li>6. managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures <del>and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;</del></li> <li>7. managing land disturbance, earthworks and vertical holes, land use development and buildings to maintain safe electrical clearance distances under electricity distributions lines and support structures; and</li> <li>8. ensuring subdivision of sites containing a network activity retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility</li> </ol>



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		<p>compromised" reflects the directive wording in policy 10 and 11 of the NPSET and clarifies it is these effects for which the activities are managed. As notified, clause 6 provides no reasoning unlike some of the other clauses (e.g. 1, 2, 7 and 8). The reference to 'near the National Grid' is deleted as the term is vague, uncertain and not required. Instead the policy relies on the defined National Grid Yard and National Grid Subdivision Corridor. The reference to "around a designated National Grid substation" is also Transpower is not seeking restrictions around its substation beyond the designation boundary itself.</p>	
<p><b>Rules Notes:</b>  <i>The following rules do not cover all network utility activities. Network utilities may be exempt from rules because they operate under designations or national environmental standards (e.g. the National Environmental Standards for Electricity Transmission Activities (2009) or the National Environmental Standards for Telecommunication Facilities (2008)). Reference should be made to the Ministry for the Environment website for the latest version of any relevant National Environmental Standards.</i></p> <p><i>Rules relating to subdivision and land development involving network utilities and other activities addressed in this chapter are contained in the SUB – Subdivision chapter of the District Plan.</i></p> <p><i>Rules relating to earthworks associated with activities addressed in this chapter are contained in the EW – Earthworks chapter of the District Plan.</i></p> <p><i>Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter.</i></p> <p><i>The construction, operation, maintenance, replacement, removal and upgrading of cycleways or walkways located within road reserve are subject to the rules of this chapter.</i></p> <p><i>Cycleways and walkways located outside road reserve fall within the definition of 'Community Facilities' and are subject to the relevant zone chapter rules.</i></p> <p><i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise).</i></p>	<p>Support with amendment</p>	<p>Transpower supports the reference to the National Environmental Standards for Electricity Transmission Activities (2009) within the Note as it highlights the standards to plan users.</p> <p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities section, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utilities Chapter as it avoids duplication (in terms of the zone rules) and provides a coherent set of rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities Section.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities.</p> <p>It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to other matters addressed within the Note, Transpower supports the attempt at clarity regarding the relationship of various provisions in the plan. However, as noted in an earlier submission point, the cross references to other provisions are confusing. The reference to ONFL's "Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter", and "It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT - Light, and NOISE - Noise)", are confusing in that paragraph 4 to the introduction of the NU chapter provides that the operation, maintenance, upgrade and development of the National Grid is to be solely addressed in the NU chapter. The relationship between chapters is further confused by Method NU-M1 which includes reference to multiple other PDP chapters that apply to buildings and structures. An amendment is sought to Nu-M1 in other submission points.</p>	<p>Relocate the relevant National Grid provisions to the Network Utilities Section.</p> <p>And</p> <p>Insert the following into the Notes section:</p> <p>.....</p> <p><i><u>Rules relating to the operation, maintenance, upgrade and development of network utilities are addressed in the NU- Network Utilities chapter of the district plan and reference is not required to other chapters.</u></i></p> <p><i>Rules relating to subdivision and land development involving network utilities and other activities addressed in this chapter are contained in the SUB – Subdivision chapter of the District Plan.</i></p> <p><i>Rules relating to earthworks associated with activities addressed in this chapter are contained in the EW – Earthworks chapter of the District Plan.</i></p> <p><i><u>Rules relating to subdivision, land development and earthworks within the National Grid Yard and National Grid Subdivision Corridor are addressed in this chapter.</u></i></p> <p><i><u>Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter.</u></i></p> <p><i>The construction, operation, maintenance, replacement, removal and upgrading of cycleways or walkways located within road reserve are subject to the rules of this chapter.</i></p> <p><i>Cycleways and walkways located outside road reserve fall within the definition of 'Community Facilities' and are subject to the relevant zone chapter rules.</i></p> <p><i><del>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant to network utilities (e.g. TRANS – Transport, HH – Historic Heritage, ECO – Ecosystems &amp; Indigenous Biodiversity, SUB – Subdivision, EW – Earthworks, LIGHT – Light, and NOISE – Noise).</del></i></p>
<p><b>NU-R1 – PER</b>  <i>Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES)</i>          .....</p>	<p>Support</p>	<p>Specific to the National Grid, the NESETA provides for various works as permitted activities. Given the NESETA prevails over the district plan provisions, Rule NU-R1 is of limited relevance to the National Grid.</p> <p>Notwithstanding it is of limited relevance, the provision of a permitted activity rule for the ongoing operation, maintenance, replacement and removal of existing network utilities is supported as it recognises existing infrastructure and provides for its ongoing use. The permitted activity status reflects that provided within the NESETA. The default restricted discretionary (and non-complying in respect of radio frequency and electric magnetic fields) is also supported.</p>	<p>That Rule RU-R1 be retained.</p>



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<p><b>NU-R2 – PER</b> NU-R2 Minor upgrading of existing network utilities .....</p>	Support	<p>Specific to the National Grid, the NESETA provides for various works as permitted activities. Given the NESETA prevails over the district plan provisions, Rule NU-R2 is of limited relevance to the National Grid.</p> <p>Notwithstanding it is of limited relevance, the provision of a permitted activity rule for the minor upgrading of existing network utilities is supported as it recognises existing infrastructure and provides for its ongoing use. The permitted activity status reflects that provided within the NESETA. The default restricted discretionary (and non-complying in respect of radio frequency and electric magnetic fields) is also supported.</p>	That Rule RU-R2 be retained.
<p><b>NU-R3 - PER</b> Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) – within the National Grid Yard (other than for the reticulation and storage of water for irrigation purposes carried out by a network utility operator)</p> <p>Where the following activity conditions are met:</p> <p>a. Compliance with:</p> <p>i. NU-S1;</p> <p>ii. NU-S2;</p> <p>iii. NU-S3;</p> <p>iv. NU-S4;</p> <p>v. NU-S5; and</p> <p>vi. NU-S6.</p> <p>b. Compliance with:</p> <p>i. NU-S7 (Radio Frequency Fields); and</p> <p>ii. NU-S8 (Electric and Magnetic Fields).</p> <p>c. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions.</p> <p>d. The activity is located a minimum distance of 12 metres from the outer visible foundation of any National Grid support structure and associated stay wire, unless it:</p> <p>i. is a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 ISSN 0114-0663; or</p> <p>ii. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and</p> <p>iii. does not permanently physically impede existing vehicular access to a National Grid support structure.</p> <p>2. Activity status where condition NU-R3(1)(a) is not achieved: RDIS Matters of discretion are restricted to:</p> <p>a. Functional and operational needs of, and benefits derived from, the network utility.</p> <p>b. Effects on public health and safety.</p> <p>c. Whether alternative locations, routes or other options are physically or technically practicable.</p> <p>d. The matters set out in policies NU-P1, NU-P2, NU-P3, NU-P4 and NU-P5.</p> <p>Notification: Non-notified</p> <p>3. Activity status where conditions NU-R3(1)(b), NU-R3(1)(c) and/or NU-R3(1)(d) is not achieved: NC</p>	Support with amendment	<p>Transpower supports the provision of a rule specific to network utilities within the National Grid Yard. The default non-complying activity status is considered the most effective means of giving effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network. In particular, a non-complying activity status:</p> <p>(a) Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2; and</p> <p>(b) Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10.</p> <p>While conditions a) and b) are not specific to the National Grid, Transpower is not opposed to their inclusion given clauses b. c. and d. apply to the National Grid.</p> <p>A minor amendment is sought to the numbering to make clause d. iii. a condition in its own right as opposed to being linked to the 12m setback from a support structure.</p>	<p>Amend Rule NU-R3 as follows:</p> <p>.....</p> <p>d. The activity is located a minimum distance of 12 metres from the outer visible foundation of any National Grid support structure and associated stay wire, unless it:</p> <p>i. is a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 ISSN 0114-0663; or</p> <p>ii. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and</p> <p><del>iii.</del> e. does not permanently physically impede existing vehicular access to a National Grid support structure.</p>
<p><b>NU-R4 - PER</b> Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) not already provided for in NU-R3 (within the National Grid Yard)</p> <p>Where the following activity conditions are met: .....</p>	Support	<p>Transpower supports the provision of a rule specific to network utilities outside the National Grid Yard.</p> <p>The new rule would apply to new National Grid assets and while the permitted activity conditions are unlikely to be met, the default restricted discretionary activity status is supported.</p>	That Rule RU-R4 be retained.
<p><b>NU-R9 - DIS</b> Activities not otherwise provided for (that are not regulated by an NES)</p>	Support	<p>While it is not clear what activities Rule RU-R9 would apply to (given the default rule RU-R5) Transpower supports the discretionary rule.</p>	That Rule RU-R9 be retained.
<p><b>NU-S1 – NU-S9 Standards</b></p>	Support	<p>Transpower supports the provision of standards.</p>	That Standards NU-S1 – NU-S9 be retained.
<p><b>Assessment Matters</b> For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).</p>	Support	<p>Transpower supports the discretionary activity assessment matters and in particular clause 4.</p>	That NU-AM2 be retained.

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<p><i>NU-AM2 Infringement of the setback standards</i></p> <ol style="list-style-type: none"> <li>Whether the reduced setback of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and, where relevant, within the existing streetscape and road frontage.</li> <li>Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.</li> <li>Whether adverse effects on amenity values can be avoided, remedied, or mitigated through planting, fencing or other amenity treatment (including minimising visual impact through design and colours).</li> <li>Whether adverse effects on public health and safety, including on the functioning and safe operation of roads, cycleways or walkways, the rail corridor, the National Grid, or lines used for the conveyance of electricity or telecommunications, can be avoided, remedied, or mitigated, and the outcome of any consultation with the relevant road controlling authority, KiwiRail or Transpower.</li> <li>Whether the dimensions of the site or other physical characteristics of the site preclude reasonable compliance.</li> <li>Whether there are any characteristics or technical requirements of the proposed use that will make compliance impracticable.</li> </ol>		<p>Notwithstanding Transpower's support for the matters, it is unclear when the assessment matters would apply given the default rule (NU-R3 and NU-R4) have a restricted discretionary activity status.</p>	
<p><b>Methods</b> Methods, other than the above rules, for implementing the policies: <i>NU-M1</i> Other Provisions in the District Plan Other sections of the District Plan contain additional rules and standards applying to buildings and structures:</p> <ol style="list-style-type: none"> <li>HAZS – Hazardous Substances – controls the establishment of Major Hazardous Facilities in the District.</li> <li>HH – Historical Heritage and HH-SCHED2 – Schedule of Historical Heritage Items – in areas containing these historical heritage sites.</li> <li>SASM – Sites and Areas of Significance to Māori and SASM-SCHED3 – Schedule of Sites and Areas of Significance to Māori – in areas containing these sites of significance to tangata whenua.</li> <li>TREE – Notable Trees and TREE-SCHED4 – Schedule of Notable Trees – in areas containing these notable trees.</li> <li>ECO – Ecosystems and Indigenous Biodiversity and ECO-SCHED5 – Schedule of Significant Natural Areas – in areas containing these areas of significant indigenous vegetation or significant habitats of indigenous fauna.</li> <li>NFL – Natural Features and Landscapes and NFL-SCHED6 – Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features – in areas containing these features.</li> <li>CE – Coastal Environment and CE-SCHED7 – Schedule of Areas of High Natural Character – in areas containing identified high natural character in the coastal environment.</li> <li>RE – Renewable Energy sets direction for activities that convert renewable energy into electricity.</li> <li>SUB – Subdivision – manages the control of subdivision of sites for the purpose of accommodating network utilities throughout the District.</li> <li>EW – Earthworks – controls the effects of earthworks associated with activities on the environment.</li> <li>TRAN - Transport – relevant to activities requiring vehicular access, parking and loading.</li> <li>CL - Contaminated Land – contains planning controls that direct the requirement for consent or otherwise for activities on contaminated or potentially contaminated land.</li> <li>OSR – Open Space and Recreation – includes provisions relevant to establishment of cycleways and walkways located outside road reserve (being recreational activities that fall within the definition of 'community facilities').</li> <li>LIGHT – Light – controls light emissions associated with activities.</li> <li>NOISE – Noise – controls noise associated with activities.</li> <li>Designations – allow land to be secured for public works or other projects and facilitate the establishment of what are often necessary or essential services. Legal roads within the District, including State Highways, are designated.</li> </ol>	<p>Oppose</p>	<p>While Transpower does not oppose the listing of other relevant sections of the plan, the list provided appears to cover all other chapters of the plan. This would appear contrary to the intent of the National Planning Standards Mandatory Directions for provisions relating to Infrastructure, as well as the Introduction to the NU chapter (specifically paragraph 4) which provides that a single set of rules are provided.</p> <p>In particular clause 6. is not clear in terms of how the ONFL provisions apply to Network Utilities in that the Note to the Rules section provides "Rules for activities addressed in this chapter that are located within the identified ONL and ONFs are contained in this chapter," This linkage is potentially confusing in that Method NU-M1 includes reference to the NFL chapter.</p> <p>Plan interpretation and application would benefit from clear linkages between the plan provisions. An amendment is sought in other submission points to clarify the above.</p>	<p>Delete NU-M1</p>
<p><b>NU-M2 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</b> These Regulations set out a national framework of permissions and consent requirements for activities on the existing high voltage electricity transmission network (the National Grid) that existed as of 14 January 2010. The regulations categorise activities that relate to the operation, maintenance, upgrading, relocation, or removal of existing transmission lines. The NES does not apply to electricity distribution lines - the lines that carry electricity from regional substations to electricity users, as these activities are covered under the District Plan provisions</p>	<p>Support</p>	<p>As outlined earlier in this submission relating to higher level policy documents, the district plan is required to give effect to the NPSET. Reference as a method is supported.</p>	<p>Retain Method NU-M2.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>NU-M4 Resource Management (National Policy Statement on Electricity Transmission) 2008</b> <i>This policy statement was promulgated in response to the need to operate, maintain, develop and upgrade the high voltage transmission network as a matter of national significance</i></p>	Support with amendment	Transpower supports reference to the NPSET. The NPSET provides specific provisions for maintenance and upgrade works to the National Grid which prevail over the district plan rules. An amendment is sought to correct the title.	Retain Method NU-M4, subject to amendment to the title as follows: <del>NU-M4 Resource Management (National Policy Statement on Electricity Transmission) 2008</del>
<p><b>NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001)</b> <i>The Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.</i></p>	Support with amendment	Transpower supports reference to NZECP34:2001. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. On this basis, reference as a method within the district plan is supported.	Retain Method NU-M6 subject to a minor reference correction: <del>NU-M6 New Zealand Electrical Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001)</del> <i>The Code of Practice sets minimum safe electrical distance requirements for overhead electric line installations and other works associated with the supply of electricity from generating stations to end users. The minimum safe distances have been set primarily to protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards.</i>
<p><b>NU-M7 Electricity (Hazards from Trees) Regulations 2003</b> <i>The purpose of the Regulations is to protect the security of the supply of electricity, and the safety of the public, by prescribing distances from electrical conductors within which trees must not encroach, and sets rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors</i></p>	Support	Transpower supports reference to the Tree Regulations.	Retain Method NU-M7.
<p><b>Principal Reasons</b> <i>The principal reasons for adopting the policies and methods: The objectives and policies of this chapter reflect the importance of, and the contribution made by, network utilities to the health and safety and overall social and economic wellbeing of the District's community. It is therefore critical that the safe, effective, secure and efficient development, operation, maintenance and upgrading of these services are appropriately provided for, and that the local, regional and national benefits that derive from them are recognised.</i></p> <p><i>The development, operation, maintenance and upgrading of network utilities can adversely affect the environmental quality of the District, such as from noise and visual effects. In some cases, given the locational, functional, and operational constraints and requirements associated with some network utilities, it may not be entirely possible to avoid, remedy or mitigate all adverse effects associated with the development, operation, maintenance or upgrading of network utilities. In these circumstances, it needs to be recognised that some adverse effects on the surrounding environment may be unavoidable in order to achieve the benefits that network utilities provide.</i></p> <p><i>The Plan therefore makes provision for network utilities while managing their potential adverse effects through performance standards, recognising the local environmental characteristics in the District. Certain types of network utilities and larger-scale utilities can have a broad range of potential adverse effects, and therefore it is more appropriate that these proposals are assessed through either the resource consent or designation processes.</i></p> <p><i>The District Plan encourages the co-siting, or sharing of facilities or sites, as this supports efficiencies and reduces the need for infrastructure to be located elsewhere in the District, in turn, mitigating or avoiding adverse effects.</i></p> <p><i>Where incompatible activities have been allowed to establish too close to certain nationally or regionally significant network utilities (e.g. a dwelling allowed close to high voltage electricity transmission lines or an electricity substation), there is increased exposure to adverse effects such as the accumulation of dust on conductors, risk to structural integrity of pylons, restricted access for maintenance, and reduction in safety distances or public safety generally. Another example is locating a dwelling close to a wastewater treatment pond, which increases the potential for objectionable odour effects on the residents of the dwelling. To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate potential reverse sensitivity effects.</i></p>	Support with amendment	Transpower supports the reasoning provides as it reflects the policy and rule framework provided. However, a minor amendment is sought to include reference to ensuring the grid is not compromised.	Retain the Principal Reasons section but include a reference to ensuring the network utility is not compromised, as follows  ..... <i>To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate potential reverse sensitivity effects <u>and ensure the network utility is not compromised.</u></i>
<b>RE – Renewable Energy</b>			
<p><b>INTRODUCTION</b> ... <i>Renewable electricity generation is defined in the NPSREG as the generation of electricity from renewable energy. Renewable electricity generation activities are also defined as the construction, operation and maintenance of structures associated with renewable electricity generation. These include small and community-scale distributed renewable generation activities and the system required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.</i> ....</p>	Support	Transpower supports recognition that renewable electricity generation will require connections to the National Grid.	That the Introduction be retained
<p><b>Methods</b> <i>Methods, other than the above rules, for implementing the policies:</i> <b>RE-M1 National Policy Statement on Electricity Transmission</b> <i>Sets out an objective and policies to enable the management of the effects of the electricity transmission network under the RMA. The objective and policies are intended to guide decision-makers in drafting plan</i></p>	Support with amendment	Transpower has no position on Methods RU-M1 and M2 but questions whether they are relevant to the Renewable energy chapter. A minor amendment is sought to RE-M1 to reflect the NPSET also manages effects on the transmission network.	Review the appropriateness of methods M1 and M2 within the Renewable energy chapter.  <b>And</b> Amend RE-M1 as follows: <i>Methods, other than the above rules, for implementing the policies:</i>

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<p>rules, in making decisions on the notification of resource consents, in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.</p> <p><b>RE-M2 National Environmental Standard for Electricity Transmission</b> Provides national environmental standards for electricity transmission for the National Grid. The Regulations categorize activities that relate to the operation, maintenance, upgrading, relocation or removal of existing transmission lines.</p>			<p><b>RE-M1 National Policy Statement on Electricity Transmission</b> Sets out an objective and policies to enable the management of the effects <i>on and</i> of the electricity transmission network under the RMA. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of resource consents, in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.</p>
<b>Hazards and Risks</b>			
<b>NH – Natural Hazards</b>			
<b>General comment</b>	Support with amendment	<p>The application and relevance of the Natural Hazards provisions to Transpower's assets is not clear as:</p> <ul style="list-style-type: none"> <li>- The note to the rules section within the Network Utilities Chapter does not provide specific reference that the Natural Hazards chapter applies.</li> <li>- The rules within the Natural Hazards chapter all apply to "buildings" which do not capture the support structure and transmission line components of the National Grid assets (as these are defined as 'structures' within the proposed plan). However substations would be considered a 'building'.</li> </ul> <p>Clarity as to the relationship between the chapters and whether the Natural Hazard provisions apply would assist with plan interpretation.</p>	That clarity be provided as to whether the Natural Hazard provisions apply to NU structures would assist with plan interpretation.
<b>NH-P11 – Policy</b> <i>To allow network utilities to establish in natural hazard areas where there is a functional or operational need to locate there, and any significant risks to people, property and the environment are avoided or mitigated.</i>	Support	Transpower supports the policy recognition for Network Utilities within natural hazard areas. However, as queried in an earlier submission point, clarity is sought as to the application of the Natural Hazards provisions to network utilities.	That Policy NH-P11 be retained.
<b>NH-R1 – R3</b>	Oppose in part	Depending on the relevance and applicability of the Natural Hazards Chapter to the National Grid, Transpower opposes any non-complying activity status that would apply to the National Grid. The National Grid is a linear network that is constrained in its location. Such constraints should be reflected in a restricted discretionary activity status. The RDIS matters would ensure an adequate assessment of the risks and need.	That Rules R1-R3 be amended to remove a non-complying activity for the National Grid.
<b>Natural Environment Values</b>			
<b>ECO-Ecosystems and Indigenous Biodiversity</b>			
<b>General comment</b>	Support with amendment	As outlined in earlier submission points regarding relationship between chapters, the application and relevance of the ECO chapter to Network Utilities is not clear given the statements within the NU chapter regarding the stand-alone nature of the NU Provisions.	That clarity be provided as to whether the ECO provisions apply to NU would assist with plan interpretation.
<b>ECO-P1 Policy</b> <i>To identify Significant Natural Areas (being areas of significant indigenous vegetation and/or significant habitats of indigenous fauna) in the District where they meet one or more of the criteria below and describe these areas in ECO-SCHED5 and show their location on the Planning Maps.</i>	Support	Transpower supports the identification SNA's on the basis they assist plan users and provides clarity on the application of the PDP provisions that apply, particularly in context of the directive policy framework.	Retain Policy ECO-P1.
<p><b>ECO-P9 Policy</b> <b>To ensure that new nationally significant infrastructure is not located in areas of significant indigenous vegetation and/or significant habitats of indigenous fauna unless:</b></p> <ul style="list-style-type: none"> <li>a. <i>There is a functional or operational need for the infrastructure to be in that particular location; and</i></li> <li>b. <i>The route/site selection process has identified no practicable alternative locations.</i></li> </ul> <p><i>Where it is necessary to locate in these areas and where, despite the adoption of the best practicable option, there remain residual adverse effects, biodiversity offsetting measures should be proposed for the purpose of ensuring positive effects on the environment sufficient to offset any residual adverse effects of activities on indigenous biodiversity that will or may result from allowing the activity.</i></p>	Support	Notwithstanding Transpower's submission point seeking a specific new policy (NU-Pa) specific to the planning and development for the National Grid, Transpower supports policy ECO-P9 which recognises functional and operational needs. While not specific to the National Grid, the policy gives effect to Policy 3 of the NPSET that recognises the technical and operational requirements of the National Grid.	That Policy ECO-P9 be retained.
<p><b>ECO-R3 Rule</b> <b>Trimming or clearance of indigenous vegetation inside any area of significant indigenous vegetation and/or significant habitat of indigenous fauna (excluding natural wetlands)</b></p> <p><i>All Indigenous Vegetation Species</i> 1. <i>Activity Status: PER</i> <i>Where the following conditions are met:</i></p> <ul style="list-style-type: none"> <li>a. <i>Limited to (whichever is the lesser):</i></li> </ul>	Support	<p>Notwithstanding the lack of clarity as to the relationship with the NU Chapter, Transpower supports Rule ECO-R3 and in particular clause b. i. and vi.</p> <p>The NESETA provides for trimming, felling or removal of any trees or vegetation as permitted activities subject to conditions. Resource consent is required if the tree or vegetation is in a "natural area" (a term defined in NESETA), or a rule prohibits or restricts the works. The provision of a permitted activity rule specific to the National Grid would reflect the permitted activity status within the NESETA and</p>	Retain Rule ECO-R3, and in particular clause b. i. and vi.



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<p>..... OR</p> <p>b. Limited to trimming or clearance that is:</p> <p>i. required to achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003; or</p> <p>ii. required to remove deadwood, wind-thrown trees, or chronically diseased indigenous vegetation, where an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification has certified in writing that the indigenous vegetation is no longer independently viable or poses a risk; or</p> <p>iii. carried out in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1986 or Queen Elizabeth the Second National Trust Act 1977; or a Reserve Management Plan approved under the Reserves Act 1977; or</p> <p>iv. required for pest control undertaken by the Department of Conservation, Hawke's Bay Regional Council or Central Hawke's Bay District Council, and removal of material infected by an unwanted organism under the Biosecurity Act 1993; or</p> <p>v. necessary to avoid an imminent threat to the safety of persons or of damage to lawfully established buildings or structures; or</p> <p>vi. necessary to provide for the ongoing safe and efficient operation, maintenance and upgrading of telecommunication, radio communication and other network utilities, but excluding their expansion, where carried out by the respective network utility operator; or</p> <p>.....</p>		<p>enable routine vegetation trimming, required by the Electricity (Hazards from Trees) Regulations 2003, to be carried out in a timely and efficient manner.</p> <p>As such, while the NESETA regulates the operation, maintenance and upgrade of existing National Grid assets, Rule ECO-R3 is relevant to Transpower in so far as it relates to earthworks and vegetation works. While the NESETA activity status applies, R3 is relevant in terms of determining whether consent under Regulations 31 and 32, and 34 and 35 is triggered.</p> <p>By way of background in respect of vegetation works, it is important Transpower is able to trim, maintain or remove any vegetation that could affect the safe operation, maintenance or upgrade of its lines. Where tree branches/vegetation are close to or in contact with a transmission line they can create a flashover from the conductor to the tree which may cause:</p> <ul style="list-style-type: none"> <li>- A circuit fault that affects the operation and supply of the National Grid;</li> <li>- Injury or death to anyone who may be near the tree at the time of the fault; and</li> <li>- Damage to the tree, land or property.</li> </ul> <p>If a tree causes a flashover, dangerous voltages may arise in the tree itself or in the ground around the tree. These voltages have the potential to cause severe injury or death. Flashover to a tree where high voltages are involved can cause the tree to ignite and cause a wider fire hazard if the tree is near buildings. As such, it is vital that trees and all other vegetation are able to be trimmed, maintained or removed. Transpower is supportive of a permitted rule.</p>	
<p><b>ECO-R4 Rule</b> <i>Trimming or clearance of indigenous vegetation outside any area of significant indigenous vegetation and/or significant habitat of indigenous fauna</i></p>	Support	Notwithstanding the lack of clarity as to the relationship with the NU Chapter, Transpower supports Rule ECO-R4 on the basis the rule applies outside an area of significant indigenous vegetation and therefore the NESETA applies and the rule is therefore not relevant to Transpower.	Retain Rule ECO-R4.
<p><b>ECO-R6 Rule</b> <i>Trimming or clearance of indigenous vegetation which forms part of any natural wetland identified as a Significant Natural Area in ECO-SCHED5</i> <i>All Indigenous Vegetation Species</i> <i>1. Activity Status: NC</i></p>	Support with amendment	Notwithstanding the lack of clarity as to the relationship with the NU Chapter, and while of limited relevance to Transpower given the NESETA regulates trimming, felling or removal of any trees or vegetation within a SNA (natural area), Transpower has concerns as to the non-complying activity status for tree works associated with infrastructure and the relationship of the rule to the NESFM.	Amend Rule ECO-R6 to provide a discretionary activity status for tree trimming and clearance necessary to provide for the "ongoing safe and efficient operation, maintenance and upgrading of network utilities, but excluding their expansion, where carried out by the respective network utility operator".
<b>NFL-Natural Features and Landscapes</b>			
<p><b>General comment</b></p>	Support with amendment	As outlined in earlier submission points, the application and relevance of the NFL chapter to Network Utilities is not clear given the statements within the NU chapter regarding the stand-alone nature of the NU Provisions.	That clarity be provided as to whether the NFL provisions apply to NU would assist with plan interpretation.
<p><b>NFL-O1 Objective</b> <i>Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development.</i></p>	Support	Notwithstanding the lack of clarity between chapters, Transpower supports reference within the objective to 'inappropriate' as such reference is consistent with Section 6(b) of the RMA and recognises that not all development is to be avoided, rather the emphasis is on that which is inappropriate.	Retain Objective O1.
<p><b>Policies</b></p>	Support with amendment	On the basis a new policy NU-Pa (as sought in an earlier submission point) is provided relating to managing the effects of the National Grid electricity transmission network, Transpower is neutral on the policies within NFL. Should a policy not be provided, Transpower seeks relief consistent with the relief sought in its earlier submission point seeking a new policy NU-Pa.	Retain the NFL chapter policies. However, should a new policy NU-Pa (as sought in another submission point) not be provided, Transpower seeks relief consistent with that sought in its earlier submission point seeking a new policy NU-Pa.
<p><b>Rules</b> <b>Notes:</b> ..... <i>Rules relating to network utilities within the identified ONL and ONFs are contained in the NU – Network Utilities chapter of the District Plan. The rules in this chapter do not apply to network utilities.</i> ...</p>	Support	Transpower supports the clarification within the note that the rules in the NFL chapter do not apply to network utilities. Such clarification assists with plan interpretation and application.	Retain the Note to the Rules.
<b>Subdivision</b>			
<p><b>General submission point</b></p>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as it avoids duplication and provides a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.

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		<p>land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Subdivision Chapter, Policy NU-P5<sup>3</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for subdivision within the National Grid Subdivision Corridor. However, the associated rules are provided within the Subdivision Chapter (Rule SUB-R1, R3-R7). This disconnection is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific subdivision rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	
<p><b>Introduction</b> <i>However, potential adverse effects of subdivision can include:</i></p> <p>...</p> <ul style="list-style-type: none"> <li>- reverse sensitivity, where new sensitive activities established through subdivision could potentially constrain existing uses nearby; and</li> <li>- increased risk of the operation of infrastructure being unreasonably compromised.</li> </ul>	Support	<p>Notwithstanding the sought relocation of the subdivision provisions to the NU chapter, as highlighted in the higher order policy document (specifically the NPSET) a significant resource management issue in the district and across New Zealand is inappropriate development, land use and subdivision in close proximity to the National Grid which can compromise its operation, maintenance, development and upgrade. Recognition of the reverse sensitivity effects of subdivision is supported, as is the increased risk of infrastructure being compromised.</p>	That the Introduction be retained.
<p><b>SUB-O4 Objective</b> <i>Reverse sensitivity effects of subdivision on existing lawfully established activities (including network utilities) are avoided where practicable, or mitigated where avoidance is not practicable.</i></p>	Support with amendment	<p>Transpower supports the provision of an objective specific to reverse sensitivity. However, it is not only reverse sensitivity that can compromise the National Grid. Policy NU-P5 appropriately articulates the issues for the National Grid.</p>	On the basis policy NU-P5 is amended as sought in its submission, Objective SUB-O4 be retained. Should Policy NU-P5 not be amended as sought, Transpower seeks amendment to Objective O4 to give effect to the NPSET.
<p><b>SUB-P17 Policy</b> <i>To ensure, to the extent practicable, subdivision design that takes into account the location of regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established activities, and ensures that future land use activities will not result in reverse sensitivity effects.</i></p>	Support with amendment	<p>As noted in earlier submission points, in order to give effect to the NPSET, Transpower seeks:</p> <ul style="list-style-type: none"> <li>- Provisions specific to the National Grid</li> <li>- The location of such provisions within the Network Utility chapter.</li> </ul> <p>Given the national significance of the National Grid, inappropriate development is a potential issue. In order to manage subdivision that has the potential to compromise the operation, maintenance, upgrading and development of the National Grid, Transpower supports the provision of a corridor management approach which allows for the reasonable use of land inside the transmission line corridor, with several standards and rules imposed to ensure that any subdivision that might compromise the Grid is either avoided or managed. The approach sought by Transpower has been rolled out across New Zealand for the past nine years as plans have come up for review.</p> <p>Notwithstanding its location, Transpower supports Policy SUB-P17 (noting SUB-P18 addressed the issue of ensuring NU are not compromised).</p>	On the basis policy NU-P5 is amended as sought in its submission, Policy SUB-P17 be retained. Should Policy NU-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 to give effect to the NPSET. In particular specific reference to the National Grid Subdivision Corridor and removal of reference to the "to the extent practicable".
<p><b>SUB-P18 Policy</b> <i>To ensure, to the extent practicable, subdivision design that ensures that resulting land use activities (including building platforms) will not affect the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities.</i></p>	Support with amendment	<p>As noted in earlier submission points, in order to give effect to the NPSET, Transpower seeks:</p> <ul style="list-style-type: none"> <li>- Provisions specific to the National Grid</li> <li>- The location of such provisions within the Network Utility chapter.</li> </ul>	On the basis policy NU-P5 is amended as sought in its submission, Policy SUB-P17 be retained. Should Policy Nu-P5 not be amended as sought, Transpower seeks amendment to SUB-P17 to give effect to the NPSET. In particular specific reference to the National Grid Subdivision Corridor and more directive wording that the National Grid is not compromised.

<sup>3</sup> **NU-P5 Policy**  
To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:

.....

6. *managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;*

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		<p>Given the national significance of the National Grid, inappropriate development is a potential issue. In order to manage subdivision that has the potential to compromise the operation, maintenance, upgrading and development of the National Grid, Transpower supports the provision of a corridor management approach which allows for the reasonable use of land inside the transmission line corridor, with several standards and rules imposed to ensure that any subdivision that might compromise the Grid is either avoided or managed. The approach sought by Transpower has been rolled out across New Zealand for the past seven years as plans have come up for review.</p> <p>While Transpower supports SUB-P18, it is not explicitly directive to give effect to the NPSET.</p>	
<p><b>Principal Reasons</b></p> <p>....</p> <p><i>Inappropriately designed or located subdivision has potential to create reverse sensitivity effects, particularly when it provides for the establishment of sensitive activities (e.g. residential and lifestyle development) close to existing primary production activities, industrial activities, public works, network utility operations and renewable electricity generation sites. Such effects can significantly affect the ability of the existing activities to continue to operate (e.g. through complaints about noise and odour). Therefore, recognising and avoiding reverse sensitivity effects when planning for subdivision and land use development will provide for the continued efficient and effective operation of existing activities.</i></p>	Support	Although not specific to the National Grid, Transpower supports the Explanation and Reasons.	That the Principal Reasons be retained as drafted.
<p><b>SUB-R1 and R3-R7 Rules</b></p> <p>The rules are summarised below. In essence subdivision within the National Grid Subdivision Corridor is a controlled activity where the standards in SUB-S4 are complied with, and if not, defaulting to non-complying.</p> <p>R1 Subdivision not otherwise provided for – Controlled / Non-complying default R3 Subdivision for special purposes – Controlled / Non-complying default R4 Boundary adjustments – Controlled / Non-complying default R5 Subdivision to create a Lifestyle Site(s) (not in association with the creation of a Conservation Lot) – Controlled / Non-complying default R6 Subdivision to create Conservation Lots in association with the protection of:</p> <ol style="list-style-type: none"> <li>1. an area of significant indigenous vegetation and/or significant habitats of indigenous fauna (including sites listed in ECO-SCHED5).</li> <li>2. historic heritage items listed in HH-SCHED2.</li> <li>3. wāhi tapu, wāhi taonga or site or area of significance listed in SASM-SCHED3.</li> </ol> <p>– Controlled / Non-complying default R7 Subdivision to create a Lifestyle Site(s) in association with the creation of a Conservation Lot – Controlled / Non-complying default</p>	Support with amendment	<p>As proposed the PDP Subdivision Chapter provides for the subdivision provisions relating to the National Grid Subdivision Corridor provided as a standard within SUB-S4, which is then referenced in each of the relevant rules. While Transpower supports a specific standard relating to subdivision within the National Grid Subdivision Corridor, Transpower seeks a stand-alone rule and a specific standard and activity status that appropriately manages subdivision within proximity of the National Grid.</p> <p>In relation to a stand-alone rule, Transpower seeks a stand-alone rule (to be located within the NU Chapter) as it would provide clarify to plan users.</p> <p>In relation to activity status, Transpower seeks that subdivision within the National Grid Subdivision Corridor be a restricted discretionary activity (as opposed to being controlled as notified) where the newly created lots comply with the standards SUB-S4. Where the subdivision application is unable to demonstrate that this can be achieved, a non-complying activity status would apply to the subdivision (as proposed in the notified rules). A restricted discretionary activity status for subdivision that demonstrates a building platform outside the National Grid Yard, and where vehicle access to support structures is maintained, provides an appropriate incentive to design subdivision layouts that avoid building sites within the National Grid Yard. Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) on potential activities, are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).</p> <p>Transpower is opposed to the controlled activity status as a controlled activity status as provided in the proposed plan could not be declined and would not provide the ability for Transpower to be involved in the subdivision design process or ensure the subdivision does not compromise the ability to operate, maintain and upgrade the line, including the provision of access.</p> <p>The provision of a restricted discretionary activity status would be consistent with that secured across multiple district plan reviews across New Zealand.</p> <p>The default non-complying activity status is supported on the basis it is considered the most effective means of giving effect to the NPSET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network. In particular, a non-complying activity status:</p> <p>(a) Most appropriately recognises and provides for the effective operation, maintenance, upgrading and development of the network, as required by NPSET Policy 2;</p>	<p>That a specific rule be provided for subdivision within the National Grid Subdivision Corridor as follows:</p> <p><u><a href="#">SUB-R3 Subdivision within the National Grid Subdivision Corridor All Zones</a></u> <u><a href="#">1. Activity Status: RDIS</a></u></p> <p><u><a href="#">Where the following condition is met:</a></u> <u><a href="#">a. Compliance with: SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor.</a></u></p> <p><u><a href="#">Matters of discretion are restricted to:</a></u> <u><a href="#">The matters in SUB-AM17</a></u></p> <p><u><a href="#">2. Activity status where compliance with SUB-S4(2) and SUB-S4(3) is not achieved: NC</a></u></p> <p><u><a href="#">Notification</a></u> <u><a href="#">An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</a></u></p> <p><u><a href="#">When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</a></u></p> <p><b>And</b>, the rule and SUB-S4 be located the NU Chapter and the above provisions within the rule be amended to refer to the NU chapter.</p> <p><b>And</b>, subject to a new rule being provided, Rules SUB-R1 and R3-R7 be amended to remove reference to the National Grid Subdivision Corridor.</p>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		(b) Is the best method to manage other activities to ensure the operation, maintenance, upgrading, and development of the network is not compromised, as required by Policy 10. (c) Recognises the policy directive within Policy 11 to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for.	
<b>SUB-S4 Building Platform</b> <i>Subdivision of land within the National Grid Subdivision Corridor</i> 1. The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities. 2. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.	Support with amendment	Notwithstanding its other submission points seeking the relocation of all the National Grid subdivision provisions within the NU Chapter, Transpower supports the standards in that they provide a clear framework for managing the effects of subdivision on the National Grid.	That SUB-S4 be retained but be relocated within the NU Chapter.
<b>SUB-AM17 Assessment Matters</b> <i>Subdivisions with building platforms and/or vehicle access within the National Grid Subdivision Corridor</i> 1. The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply within the safe separate distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001. 2. The ability for continued access to existing National Grid transmission lines for maintenance, inspections and upgrading. 3. The ability to provide a complying building platform outside of the National Grid Yard. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from National Grid transmission lines to ensure adverse effects on and from the National Grid Transmission Network and on public safety are appropriately avoided, remedied or mitigated e.g. through the location of roads and reserves under the route of the line. 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid. 6. The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines. 7. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset. 8. The outcome of any technical advice provided by Transpower. 9. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.	Support with amendment	Notwithstanding its other submission points seeking the relocation of all the National Grid subdivision provisions within the NU Chapter, Transpower supports the assessment matters as they clearly articulate the issues associated with subdivision within the National Grid Subdivision Corridor.	That SUB-AM17 be retained but be relocated within the NU Chapter.
<b>General District-Wide Matters</b>			
<b>CE – Coastal Environment</b>			
<b>General comment</b>	Support with amendment	The application and relevance of the Coastal Environment provisions to Transpower's assets is not clear as the note to the rules section within the CE Chapter does not provide specific reference that the Coastal Environment chapter applies. Clarity as to the relationship between the chapters and whether the CE provisions apply would assist with plan interpretation. There are also no specific rules in the CE chapter, rather reference is made to NH rules for the Tsunami Hazard Area. It is presumed there are no additional rules for network utility activities within the CE and therefore in relation to Network utilities, the NU provisions apply. Clarification within the chapters as to the relationship between chapters and provisions would assist.	That clarity be provided as to the relationship between chapters and whether the CE provisions apply to Network Utilities.
<b>CE-I1 Issue</b> <i>Preservation of the Natural Character of the Coastal Environment</i> <i>Explanation</i> .... <i>Policy 6 of the NZCPS 2010 recognises that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals, are activities important to the well-being of people and communities, provided they do not compromise the other values of the coastal environment.</i> ....	Support	Notwithstanding the lack of clarity as to the relationship between the CE and NU chapters, Transpower supports the reference to policy 6 of the NZCPS within the explanation to the issue, on the basis the explanation appropriately recognises the role and importance of infrastructure.	Retain the explanation accompanying the issue, specifically the reference to Policy 6 of the NZCPS.
<b>CE-O3 Objective</b> <i>Activities that have a functional need to locate in the coastal environment are provided for, where they do not compromise other significant values in the coastal environment.</i>	Support with amendment	Notwithstanding the lack of clarity as to the relationship between the CE and NU chapters, as drafted, Objective CE-O3 gives effect to the NZCPS. Transpower is not opposed to the objective, however notes that the Coastal Environment Chapter of the PDP is also required to give effect to the NPSET. Transpower seeks an amendment to the objective so that the National Grid (which is subject to	That CE-O3 be amended as follows:  <i>Activities that have a functional need (or operational need in respect of the National Grid) to locate in the coastal environment are provided for, <del>where they do not compromise other significant values in the coastal environment.</del></i>



Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		operational needs as opposed to strict functional needs in that the Grid is not dependent on the coastal resource but is constrained in its location given the linear nature of the network and that it is required to connect to generation to provide for the transmission of electricity) is recognised within the policy framework.	
<b>CE-P5 Policy</b> <i>To recognise that there are activities which have a functional need to locate and operate within the coastal environment, and provide for those activities in appropriate places.</i>	Support with amendment	As drafted, Policy CE-P5 gives effect to the NZCPS. Transpower is not opposed to the policy, however notes that the Coastal Environment Chapter of the PDP is also required to give effect to the NPSET. Transpower seeks an amendment to the policy so that the National Grid (which is subject to operational needs as opposed to strict functional needs in that the Grid is not dependent on the coastal resource but is constrained in its location given the linear nature of the network and that it is required to connect to generation to provide for the transmission of electricity) is recognised within the policy framework. Reference to operational need would give effect to the Policy 3 of the NPSET.	That CE-P5 be amended as follows:  <i>To recognise that there are activities which have a functional need <u>for operational need in respect of the National Grid</u> to locate and operate within the coastal environment, and provide for those activities in appropriate places.</i>
<b>EW- Earthworks</b>			
<b>General submission point</b>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as it avoids duplication and provides a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Earthworks Chapter, Policy NU-P5<sup>4</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for earthworks (and vertical holes) within the National Grid Yard. However, the associated rules are provided within the Earthworks Chapter (Rule EW-R5). This disconnect is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific earthworks and vertical holes rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.
<b>EW-P1 Policy</b> <i>To avoid, remedy or mitigate the adverse effects of earthworks which:</i> 1. <i>create new or exacerbate existing natural hazards, particularly flood events, or cause adverse effects on natural coastal processes; and</i> 2. <i>result in adverse effects on the stability of land, structures or buildings.</i>	Support	Transpower supports the policy recognition of avoiding or mitigating the adverse effects of earthworks which result in adverse effects on the stability of land, structures or buildings, noting the policy is not specific to the National Grid.	Retain Policy EW-P1.
<b>EW-P7 Policy</b>	Support	Transpower supports the policy recognition of the need to control earthworks, noting the policy is not specific to the National Grid.	Retain Policy EW-P7.

<sup>4</sup> **NU-P5 Policy**

*To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:*

.....

6. *managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;*

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><i>To control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied or mitigated.</i></p>			
<p><b>EW-R5 Rule</b> Earthworks and vertical holes within the National Grid Yard 1. Activity Status: PER Where the following conditions are met:</p> <ol style="list-style-type: none"> <li>a. The earthworks must be no deeper (measured vertically) than 300mm within 12m of the outer visible edge of any National Grid support-structure foundation, except under the following circumstances: <ol style="list-style-type: none"> <li>i. earthworks that are undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes) as defined by the Resource Management Act 1991, or</li> <li>ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.</li> <li>iii. vertical holes not exceeding 500mm in diameter, provided they: <ul style="list-style-type: none"> <li>are more than 1.5m from the outer edge of the pole support structure or stay wire, or</li> <li>are a post hole for a farm fence or artificial crop protection or crop support structures and are more than 6m from the visible outer edge of a tower support structure foundation.</li> </ul> </li> </ol> </li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>EW-S1;</li> <li>EW-S2;</li> <li>EW-S3;</li> <li>EW-S4;</li> <li>EW-S5;</li> <li>EW-S7;</li> <li>EW-S8; and</li> <li>EW-S9.</li> </ul> </li> <li>c. Compliance with EW-S6.</li> </ol> <p>2. Activity status where compliance with conditions EW-R5(1)(a) and/or EW-R5(1)(b) is not achieved: RDIS Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>a. EW-AM1.</li> <li>b. EW-AM2.</li> <li>c. EW-AM3.</li> <li>d. EW-AM4.</li> <li>e. EW-AM5.</li> <li>f. EW-AM6.</li> <li>g. EW-AM7.</li> <li>h. Impacts on the operation, maintenance, upgrading and development of the National Grid.</li> <li>i. The risk to the structural integrity of the affected National Grid support structure.</li> <li>j. Any impact on the ability of the National Grid owner (Transpower) to access the National Grid.</li> <li>k. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</li> <li>l. Technical advice provided by the National Grid owner (Transpower).</li> <li>m. Any effects on National Grid support structures including the creation of an unstable batter.</li> </ol> <p>3. Activity status where compliance with condition EW-R5(1)(c) is not achieved: NC</p>	<p>Support with amendment</p>	<p>Transpower supports the rule framework relating to earthworks.</p> <p>In terms of effects, earthworks can compromise the National Grid as they have the potential to:</p> <ul style="list-style-type: none"> <li>• undermine transmission line structures,</li> <li>• generate dust (comprising conductors and associated components such as insulators),</li> <li>• reduce the clearances between the ground and conductors (resulting in series health and safety issues and potential effects of conductors coming into contact with activities).</li> <li>• restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines;</li> </ul> <p>all of which may lead to potential support structure failure, health and safety issues and significant constraints on the operation of the line.</p> <p>Transpower supports the provision of permitted, restricted discretionary and non-complying activity rules.</p> <p>The non-complying activity status for those earthworks which do not meet the standards within EW-S6 (relating to a reduced conductor clearance, compromising the stability of a National Grid support, and that result in a permanent loss of vehicular access to any National Grid support structure) is supported. A non-complying activity status gives a very strong policy signal that such earthworks are not appropriate as they can potentially compromise the security of supply, safety, and impinge on the ability of Transpower to maintain its assets. Whilst an application can still be made under the RMA, it would need to show the proposed activity would not be contrary to the objectives and policies of the District Plan or that its adverse effects on the environment would be no more than minor.</p> <p>For remaining earthworks, a restricted discretionary activity status is supported where permitted condition (a) (being depth) is not complied with.</p> <p>The inclusion of reference to Vertical Holes is supported as such activities are excluded from the definition of Earthworks.</p>	<p>That Rule EW-R5 be retained</p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>EW-S6 Standard</b> Earthworks and Vertical Holes within the National Grid Yard All Zones</p> <ol style="list-style-type: none"> <li>1. The earthworks must not compromise the stability of a National Grid support structure, and</li> <li>2. The earthworks must not result in a reduction in ground-to-conductor clearance distances of less than: 6.5m (measured vertically) from a 110kV National Grid transmission line, and</li> <li>3. The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.</li> </ol>	<p>Support with amendment</p>	<p>Transpower support the provision of standards to support Rule EW-R5.</p> <p>Earthworks restrictions are supported as earthworks have the potential to undermine transmission line structures, generate dust, reduce the clearances between the ground and conductors. They also have the potential to restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line.</p>	<p>That Standard EW-S6 be retained.</p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>

### Part 3 Area Specific Matters

#### Zones

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>GRUZ – General Rural Zone</b>			
<b>General submission point</b>	Support with amendment	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as it avoids duplication and provides a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Rural Zones Chapters, Policy NU-P5<sup>5</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for land activities within the National Grid Yard, as well as the policy framework for the operation and development of the grid itself. However, the associated zoning rules (and more importantly the National Grid Yard Standards) for land use activities within the National Grid Yard are provided within the General Rural and Rural Production Zone Chapters. The disconnect between the rules/standards and the policy framework is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific land use rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.</p>	Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.
<b>GRUZ-P2 Policy</b> <i>To allow activities of a limited scale which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.</i>	Support with amendment	Transpower supports in part Policy GRUZ-P2 but seeks specific recognition of Network Utilities on the basis of the functional and operational needs of these activities which often require and are appropriate within, a rural environment. The reference to "of a limited scale" is opposed given the ambiguity around the terms. The reference to avoid, remedy or mitigate is also opposed as it has minimal benefit to the policy.	That Policy GRUZ-P2 be amended as follows:  <i>To allow activities <del>of a limited scale (such as Network Utilities)</del> which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, <del>where adverse effects are avoided, remedied or mitigated.</del></i>
<b>Rules</b> <i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.</i>	Support with amendment	An additional statement is sought within the Introduction to the rules section to refer to the Network Utilities chapter.	That the rules introductory statement be modified to refer to the Network Utility Chapter, as follows:  <i><u>Rules for activities within the National Grid Yard within the General Rural Zone are contained in the Network Utilities (NU) Chapter.</u></i>
<b>GRUZ-R1 – R3, R5 – R12, and R14 and R19 - Rules</b>  <b>GRUZ-R1 Residential activities - PER</b> <b>GRUZ-R2 Seasonal workers accommodation- PER</b> <b>GRUZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying) - PER</b> <b>GRUZ-R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas- PER</b>	Support with amendment	<p>Transpower supports the provision of a suite of rules and associated conditions specific to the National Grid.</p> <p>The proposed land use rules are specific to the National Grid Yard which is identified on the planning maps and further defined in the Definitions. The provision of a specific suite of provisions is consistent with the approach adopted across New Zealand and gives effect to the NPSET.</p>	<p>That Rules R1 – R3, R5 – R12, and R14 and R19 be deleted in so far as they refer to "Where the following conditions are met:</p> <ul style="list-style-type: none"> <li>- Compliance with GRUZ-S13 (setbacks from National Grid)"</li> </ul> <p>And the provisions be merged into a new rule as follows:  <i><u>NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</u></i></p>

<sup>5</sup> **NU-P5 Policy**  
To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:

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6. *managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;*

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p><b>GRUZ-R6 Post-harvest facilities- PER</b>  <b>GRUZ-R7 Home businesses- PER</b>  <b>GRUZ-R8 Visitor accommodation- PER</b>  <b>GRUZ-R9 Commercial activities not otherwise provided for- PER</b>  <b>GRUZ-R10 Community facilities- PER</b>  <b>GRUZ-R11 Educational facilities- PER</b>  <b>GRUZ-R12 Emergency service activities- PER</b>  <b>GRUZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets) - CON</b></p> <p>Where the following conditions are met:  - Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p>Activity status where compliance with conditions GRUZ-R14(1)(a) and/or GRUZ-R14(1)(d) is not achieved:  NC</p> <p><b>GRUZ-R19 Industrial activities (other than post-harvest facilities) – NC</b></p>		<p>Within Rural zones, Transpower is satisfied that there are some activities that are appropriate within the National Grid Yard due to their nature and small scale, and because they will not compromise the operation, maintenance or any upgrade of the network itself. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 10-12m of the line (noting that they will still need to be set back 12m from National Grid support structures) on the basis they are unlikely to “build out” a line. The notified provisions allow for paddocks, fencing (as high as deer fences), landscaping and small sheds, and larger farm buildings in proximity to conductors not used for intensive farming purposes. Grazing, cropping, and car parking activities are not restricted. Conversely, examples of development that has severely restricted or blocked Transpower’s ability to effectively access its assets include dairy sheds, piggeries, poultry sheds and commercial hothouses and glass houses, as well as sensitive activities. These activities can cover an extensive area of land, and it may be expensive to disrupt or require these activities to be relocated while Transpower carries out work on its transmission assets.</p> <p>The sought rule framework reflects that proposed in the PDP with the primary sought differences being:</p> <ul style="list-style-type: none"> <li>- Provision of one permitted and one non-complying rule within the Network Utilities chapters as opposed to the grid being referenced across multiple rules. This reduces duplication and provides an easy point of reference for plan users.</li> <li>- Insertion of new non-complying clauses b. – g. to provide clarity that the activities listed are non-complying.</li> </ul>	<p>1. <u>Activity Status: PER</u>  <u>Where the following conditions are met:</u>  a. <u>Compliance with GRUZ-S13 (setbacks from National Grid).</u>  2. <u>Activity status where compliance with GRUZ-S13 (setbacks from National Grid) is not achieved: NC</u></p> <p><u>NU-xy National Grid Yard</u>  <u>Buildings, structures, and activities within the National Grid Yard – NC</u></p> <p>1. <u>Activity Status: NC Where:</u>  a. <u>Compliance is not achieved with GRUZ-S13 (setbacks from National Grid); or</u>  b. <u>The building or structure is not provided for within NU-xx.</u>  c. <u>Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</u>  d. <u>Any change of use of an existing building to a sensitive land use within the National Grid Yard</u>  e. <u>The establishment of any new sensitive land use within the National Grid Yard</u>  f. <u>Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line</u>  g. <u>Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard</u></p> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>GRUZ-S13 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <p>1. <i>Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</i></p> <p><i>All Buildings and Structures</i></p> <p>2. <i>Under the National Grid conductors (wires):</i>  a. <i>on all sites within any part of the National Grid Yard, all buildings and structures must:</i>  i. <i>if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</i>  ii. <i>be a fence less than 2.5m high; or</i>  iii. <i>be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</i>  iv. <i>be an uninhabited horticultural building or structure (but not a commercial greenhouse).</i>  b. <i>all buildings or structures permitted by a. must comply with the following conditions:</i>  i. <i>demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</i>  ii. <i>not permanently physically impede existing vehicular access to a National Grid support structure.</i></p> <p>3. <i>Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:</i>  a. <i>a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</i>  b. <i>an artificial crop protection structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that:</i>  i. <i>meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</i></p>	<p>Support with amendment</p>	<p>Transpower largely supports the standards within GRUZ-S13. The standards reflect that sought across NZ and provide an appropriate framework for managing the effects of activities on the National Grid. Two minor amendments are sought as follows:</p> <ul style="list-style-type: none"> <li>- Removal of the requirement for a 25m setback from a National Grid substation. Given the rural location (and Rural Production zoning) of the substation with provides a 12ha minimum lots area and that there are no existing sensitive activities in proximity, the setback is not considered efficient or effective.</li> <li>- Amendment to Standard 3 to reflect the required 12m setback from support structures. An 8m setback from support structures is not considered sufficient to ensure the grid is not compromised.</li> </ul>	<p>That GRUZ-S13 be amended as follows:</p> <p><b>GRUZ-S13 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <p><del>1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del></p> <p><i>All Buildings and Structures</i></p> <p>2. <i>Under the National Grid conductors (wires):</i>  a. <i>on all sites within any part of the National Grid Yard, all buildings and structures must:</i>  i. <i>if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</i>  ii. <i>be a fence less than 2.5m high; or</i>  iii. <i>be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</i>  iv. <i>be an uninhabited horticultural building or structure (but not a commercial greenhouse).</i>  b. <i>all buildings or structures permitted by a. must comply with the following conditions:</i>  i. <i>demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</i>  ii. <i>not permanently physically impede existing vehicular access to a National Grid support structure.</i></p>



Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>ii. is no more than 2.5m high; iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.</p>			<p><b>3.</b> Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a <del>tower, or 8m from a pole, forming part of a</del> National Grid support structure, except where the building or structure is:</p> <p>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or b. an artificial crop protection structure or crop support structure between 8m and 12m from a pole support structure and any associated stay wire, that:</p> <p>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is no more than 2.5m high; iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.</p> <p><b>And</b> Be relocated within the NU Chapter.</p>
<p><b>RPROZ –Rural Production Zone</b></p>			
<p><b>General submission point</b></p>	<p>Support with amendment</p>	<p>As proposed, the structure of the PDP provides for activities undertaken by Transpower to be managed within the Network Utilities Chapter, whereas activities undertaken by other parties within the National Grid Yard and National Grid Subdivision Corridor are managed in the respective activity or zone chapter (i.e. for earthworks, subdivision and in the zone chapters).</p> <p>Transpower's preference is for a standalone set of provisions within the Network Utility Chapter as it avoids duplication and provides a coherent set of policies and rules which applicants can refer to, noting that the planning maps clearly identify land that is subject to National Grid provisions. The ability of the E-Plan to provide links within the plan would ensure plan users can be directed to the Network Utilities chapter.</p> <p>A standalone set of provisions (as proposed through this submission) is also consistent with the National Planning Standards. Standard 7, District wide Matters Standard provides, as a mandatory direction, that 'provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading'. Clause 5.(c) makes specific reference to reverse sensitivity effects between infrastructure and other activities. It is noted that within the proposed New Plymouth District Plan 2019, specific National Grid provisions (including associated subdivision and earthworks provisions) are contained in the Energy, Infrastructure and Transpower section of the plan, under the Network Utilities 'chapter'.</p> <p>Specific to the PDP Rural Zones Chapters, Policy NU-P5<sup>6</sup> (as sought to be amended in this submission) within the Network Utilities Chapter provides the policy framework for land activities within the National Grid Yard, as well as the policy framework for the operation and development of the grid itself. However, the associated zoning rules (and more importantly the National Grid Yard Standards) for land use activities within the National Grid Yard are provided within the</p>	<p>Relocate the relevant National Grid rules (as sought to be amended in subsequent submission points) to the Network Utilities Chapter.</p>

<sup>6</sup> **NU-P5** Policy

To protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:

.....

6. managing land use development (including sensitive activities), buildings, earthworks, vertical holes and structures and subdivision near the National Grid, within the National Grid Yard, and subdivision within the National Grid Subdivision Corridor, or around a designated National Grid substation, to avoid reverse sensitivity effects and ensure the electricity transmission network is not compromised;

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
		General Rural and Rural Production Zone Chapters. The disconnect between the rules/standards and the policy framework is potentially confusing to plan users and for the reasons outlined above, Transpower seeks a specific land use rule within the Network Utilities Chapter. The specific relief relating to rules is sought in the submission points below.	
<p><b>RPROZ-P2 Policy</b> <i>To allow activities of a limited scale which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.</i></p>	Support with amendment	Transpower supports in part Policy RPROZ -P2 but seeks specific recognition of Network Utilities on the basis of the functional and operational needs of these activities which often require and are appropriate within, a rural environment. The reference to "of a limited scale" is opposed given the ambiguity around the terms. The reference is avoid, remedy or mitigate is also opposed as it has minimal benefit to the policy.	That Policy RPROZ -P2 be amended as follows:  <i>To allow activities of a limited scale (such as Network Utilities) which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.</i>
<p><b>Rules</b> <i>It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.</i></p>	Support with amendment	An additional statement is sought within the Introduction to the rules section to refer to the Network Utilities chapter.	That the rules introductory statement be modified to refer to the Network Utility Chapter, as follows:  <u><i>Rules for activities within the National Grid Yard within the Rural Production Zone are contained in the Network Utilities (NU) Chapter.</i></u>
<p><b>RPROZ -R1 – R3, R5 – R12, and R14 and R19 - Rules</b></p> <p><b>RPROZ -R1 Residential activities - PER</b> <b>RPROZ -R2 Seasonal workers accommodation- PER</b> <b>RPROZ -R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying) - PER</b> <b>RPROZ -R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas- PER</b> <b>RPROZ -R6 Post-harvest facilities- PER</b> <b>RPROZ -R7 Home businesses- PER</b> <b>RPROZ -R8 Visitor accommodation- PER</b> <b>RPROZ -R9 Commercial activities not otherwise provided for- PER</b> <b>RPROZ -R10 Community facilities- PER</b> <b>RPROZ -R11 Educational facilities- PER</b> <b>RPROZ -R12 Emergency service activities- PER</b> <b>RPROZ -R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets) - CON</b></p> <p>Where the following conditions are met: - Compliance with RPROZ S15 (setbacks from National Grid).</p> <p>Activity status where compliance with conditions RPROZ -R14 is not achieved: NC</p> <p><b>GRUZ-R19 Industrial activities (other than post-harvest facilities) – NC</b></p>	Support with amendment	<p>Transpower supports the provision of a suite of rules and associated conditions specific to the National Grid.</p> <p>The proposed land use rules are specific to the National Grid Yard which is identified on the planning maps and further defined in the Definitions. The inclusion of a specific suite of provisions is consistent with the approach adopted across New Zealand and gives effect to the NPSET. Within Rural zones, Transpower is satisfied that there are some activities that are appropriate within the National Grid Yard due to their nature and small scale, and because they will not compromise the operation, maintenance or any upgrade of the network itself. Certain structures (such as rural hay barns, pump sheds and implement sheds) are less problematic within 10-12m of the line (noting that they will still need to be set back 12m from National Grid support structures) on the basis they are unlikely to "build out" a line. The notified provisions allow for paddocks, fencing (as high as deer fences), landscaping and small sheds, and larger farm buildings in proximity to conductors not used for intensive farming purposes. Grazing, cropping, and car parking activities are not restricted. Conversely, examples of development that has severely restricted or blocked Transpower's ability to effectively access its assets include dairy sheds, piggeries, poultry sheds and commercial hothouses and glass houses, as well as sensitive activities. These activities can cover an extensive area of land, and it may be expensive to disrupt or require these activities to be relocated while Transpower carries out work on its transmission assets.</p> <p>The sought rule framework reflects that proposed in the PDP with the primary sought differences being:</p> <ul style="list-style-type: none"> <li>- Provision of one permitted and one non-complying rule within the Network Utilities chapters as opposed to the grid being referenced across multiple rules. This reduces duplication and provides an easy point of reference for plan users.</li> <li>- Insertion of new non-complying clauses b. – g. to provide clarity that the activities listed are non-complying.</li> </ul>	<p>That Rules R1 – R3, R5 – R12, and R14 and R19 be deleted in so far as they refer to "Where the following conditions are met: - Compliance with RPROZ -S15 (setbacks from National Grid)"</p> <p>And the provisions be merged into a new rule as follows:</p> <p><u><i>NU-xx National Grid Yard Buildings, structures and activities within the National Grid Yard – PER</i></u></p> <ol style="list-style-type: none"> <li><u><i>Activity Status: PER</i></u> <u><i>Where the following conditions are met:</i></u> <ol style="list-style-type: none"> <li><u><i>Compliance with RPROZ -S15 (setbacks from National Grid).</i></u></li> <li><u><i>Activity status where compliance with RPROZ -S15 (setbacks from National Grid) is not achieved: NC</i></u></li> </ol> </li> </ol> <p><u><i>NU-xy National Grid Yard Buildings, structures, and activities within the National Grid Yard – NC</i></u></p> <ol style="list-style-type: none"> <li><u><i>Activity Status: NC Where:</i></u> <ol style="list-style-type: none"> <li><u><i>Compliance is not achieved with RPROZ -S15 (setbacks from National Grid); or</i></u></li> <li><u><i>The building or structure is not provided for within NU-xx.</i></u></li> <li><u><i>Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard</i></u></li> <li><u><i>Any change of use of an existing building to a sensitive land use within the National Grid Yard</i></u></li> <li><u><i>The establishment of any new sensitive land use within the National Grid Yard</i></u></li> <li><u><i>Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line</i></u></li> <li><u><i>Dairy/milking sheds (excluding accessory structures and buildings), commercial glass houses, PSA structures or buildings for intensive primary production within the National Grid Yard</i></u></li> </ol> </li> </ol> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>
<p><b>RPROZ -S15 Setback from National Grid Yard and National Grid Substation Sensitive Activities</b></p> <ol style="list-style-type: none"> <li><i>Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</i></li> </ol> <p>All Buildings and Structures</p> <ol style="list-style-type: none"> <li><i>Under the National Grid conductors (wires):</i></li> </ol>	Support with amendment	Transpower largely supports the standards within RPROZ -S15. The standards reflect that sought across NZ and provide an appropriate framework for managing the effects of activities on the National Grid. Two minor amendments are sought as follows: - Removal of the requirement for a 25m setback from a National Grid substation. Given the rural location (and Rural Production zoning) of the substation with provides a 12ha minimum lots area and that there are no	That RPROZ -S15 be amended as follows:  <b><del>RPROZ -S15 Setback from National Grid Yard and National Grid Substation Sensitive Activities</del></b> <b><del>1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del></b>

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<p>c. on all sites within any part of the National Grid Yard, all buildings and structures must:</p> <ul style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ul> <p>d. all buildings or structures permitted by a. must comply with the following conditions:</p> <ul style="list-style-type: none"> <li>i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</li> <li>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</li> </ul> <p>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:</p> <ul style="list-style-type: none"> <li>d. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>e. an artificial crop protection structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> <li>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</li> <li>ii. is no more than 2.5m high;</li> <li>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</li> <li>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</li> </ul> </li> <li>f. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.</li> </ul>		<p>existing sensitive activities in proximity, the setback is not considered efficient or effective.</p> <ul style="list-style-type: none"> <li>- Amendment to Standard 3 to reflect the required 12m setback from support structures. An 8m setback from support structures is not considered sufficient to ensure the grid is not compromised.</li> </ul>	<p>All Buildings and Structures</p> <p>2. Under the National Grid conductors (wires):</p> <ul style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must: <ul style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ul> </li> <li>b. all buildings or structures permitted by a. must comply with the following conditions: <ul style="list-style-type: none"> <li>i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</li> <li>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</li> </ul> </li> </ul> <p>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a <del>tower, or 8m from a pole, forming part of a</del> National Grid support structure, except where the building or structure is:</p> <ul style="list-style-type: none"> <li>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>b. an artificial crop protection structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> <li>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;</li> <li>ii. is no more than 2.5m high;</li> <li>iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</li> <li>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</li> </ul> </li> <li>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances to be located within 12m of a tower or 8m of a pole support structure.</li> </ul> <p><b>And</b></p> <p>Be relocated within the NU Chapter and the provisions be renumbered accordingly.</p>

**Designations**

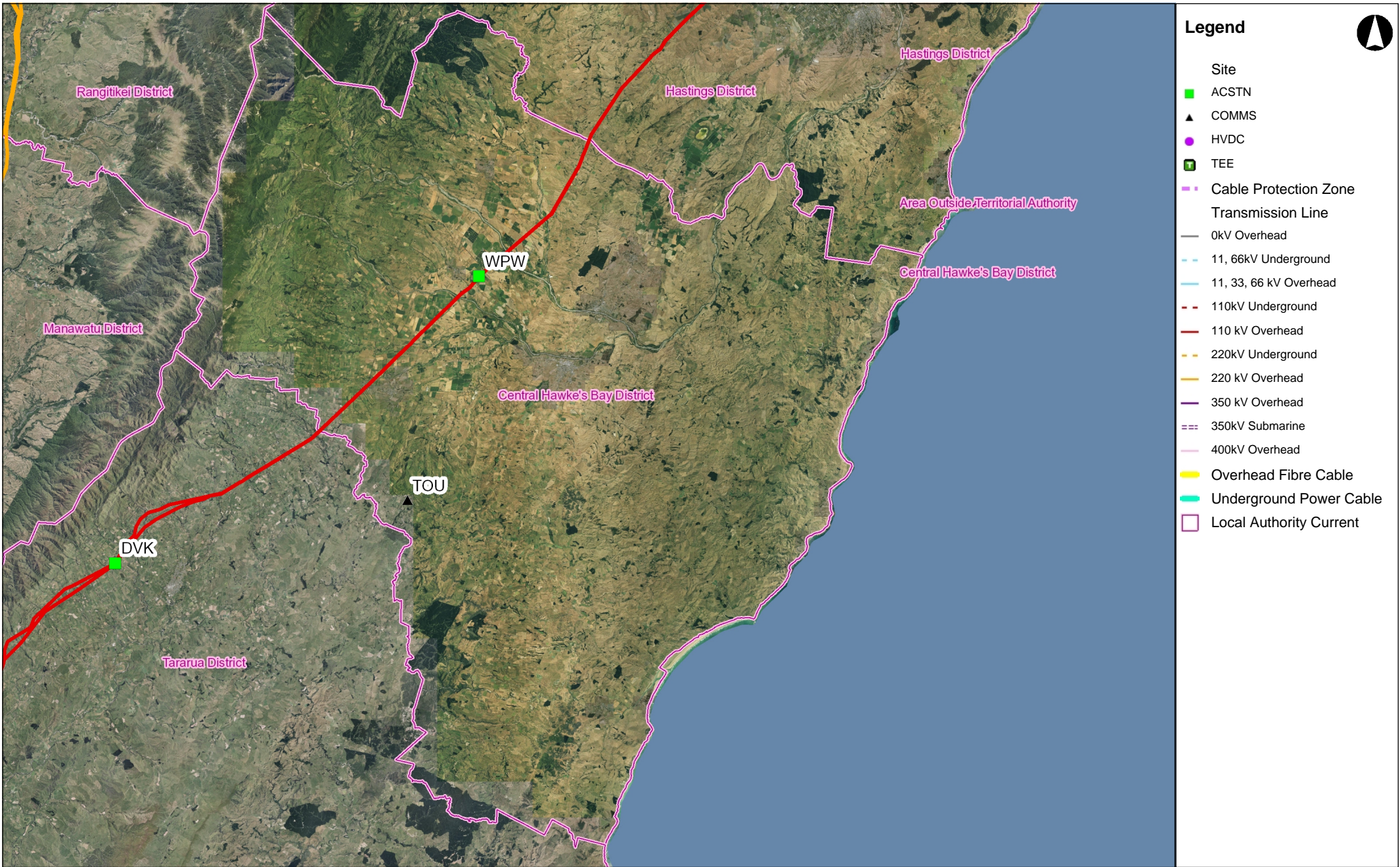
**TPR – Transpower New Zealand Ltd**

Waipawa Substation	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought														
<table border="1"> <tr> <td>Designation unique identifier</td> <td>TPR-1</td> </tr> <tr> <td>Designation purpose</td> <td>Electricity substation</td> </tr> <tr> <td>Site identifier</td> <td>1304 Ongaonga Road, Ongaonga (Map 16) Section 1 Survey Office Plan 4136 Lot 1 Deposited Plan 27676</td> </tr> <tr> <td>Lapse date</td> <td>Given effect</td> </tr> <tr> <td>Designation hierarchy under section 177 of the Resource Management Act</td> <td>Primary</td> </tr> <tr> <td>Conditions</td> <td>No</td> </tr> <tr> <td>Additional information</td> <td>Rollover, formerly designation #172.</td> </tr> </table>	Designation unique identifier	TPR-1	Designation purpose	Electricity substation	Site identifier	1304 Ongaonga Road, Ongaonga (Map 16) Section 1 Survey Office Plan 4136 Lot 1 Deposited Plan 27676	Lapse date	Given effect	Designation hierarchy under section 177 of the Resource Management Act	Primary	Conditions	No	Additional information	Rollover, formerly designation #172.	<p>Support</p>	<p>Transpower support the rollover designation for the Electricity Substation on Onga Onga Road. The substation forms part of the National Grid and is essential infrastructure.</p>	<p>That designation TPR be retained.</p>
Designation unique identifier	TPR-1																
Designation purpose	Electricity substation																
Site identifier	1304 Ongaonga Road, Ongaonga (Map 16) Section 1 Survey Office Plan 4136 Lot 1 Deposited Plan 27676																
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Conditions	No																
Additional information	Rollover, formerly designation #172.																

Specific Plan Provision	Support/ Oppose/ Amendment	Reasons for Submission	Relief Sought
<b>Planning Maps</b>			
<i>Planning Maps – National Grid Corridor</i>	Support with amendment	<p>Transpower supports the identification of the National Grid on the planning maps as it provides clear guidance for plan users as to the location of the National Grid and will assist in plan interpretation.</p> <p>However, it is recommended the map legend and maps be amended to refer to “National Grid Line” as opposed to “National Grid Corridor” as shown on the legend, as the term “National Grid Corridor” has the potential for confusion with the National Grid Subdivision Corridor, which is defined in the PDP. The term “National Grid Line” would also reflect the wording and planning map annotation in the National Planning Standards.</p>	<p>Amend the notation on the planning maps as follows:</p> <p><i>National Grid <del>Corridor</del> Transmission Line</i></p>

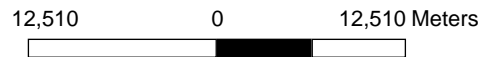


***Appendix 1: Map of Transpower Assets in the Central Hawke's Bay District***



**National Grid assets: Central Hawke's Bay District**

10-Jul-2019  
Scale: 500,000



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Plan Size: A4L

***Appendix 2: National Policy Statement on Electricity Transmission 2008***

## NATIONAL POLICY STATEMENT

# on Electricity Transmission

*Issued by notice in the Gazette on 13 March 2008*

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Preamble

1. Title
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7. Managing the environment effects of transmission
8. Managing the adverse effects of third parties on the transmission network
9. Maps
10. Long-term strategic planning for transmission assets



## Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government’s objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act’s statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

## 1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

## 2. Commencement

This national policy statement comes into force on the 28<sup>th</sup> day after the date on which it is notified in the *Gazette*.

## 3. Interpretation

In this national policy statement, unless the context otherwise requires:

**Act** means the Resource Management Act 1991.

**Decision-makers** means all persons exercising functions and powers under the Act.



**Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system** all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

**National environmental standard** means a standard prescribed by regulations made under the Act.

**National grid** means the assets used or owned by Transpower NZ Limited.

**Sensitive activities** includes schools, residential buildings and hospitals.

## 4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

## 5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

## 6. Recognition of the national benefits of transmission

### POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

## 7. Managing the environmental effects of transmission

### POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

### POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

### POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

### POLICY 5

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

#### POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

#### POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

#### POLICY 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

#### POLICY 9

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

## 8. Managing the adverse effects of third parties on the transmission network

#### POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

#### POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

## 9. Maps

#### POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

## 10. Long-term strategic planning for transmission assets

#### POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

#### POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

#### Explanatory note

*This note is not part of the national policy statement but is intended to indicate its general effect*

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.



Closing  
date for further  
submissions:  
Friday 29 October  
2021

Further Submission Form In support of, or in opposition to, submission/s on the  
**Central Hawkes District Proposed District Plan**

Clause 8 of Schedule 1, Resource Management Act 1991

To submit electronically please go to: [www.chbdc.govt.nz/districtplanreview](http://www.chbdc.govt.nz/districtplanreview)

<b>1. Further Submitter details:</b> (mandatory information)		
Full name of individual/organisation making further submission:	Transpower New Zealand Limited	
Contact person (if different from above):	Rebecca Eng	
Email address for service:	Environment.Policy@transpower.co.nz	
Postal address for service:	PO Box 17215, Greenlane, Auckland	
Preferred method of contact:	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Post	Postcode <b>1546</b>
Phone numbers:	Daytime <b>09 590 7072</b>	Mobile
<b>2. Eligibility to make a further submission:</b> (for information on this section go to RMA Schedule 1, clause 8)		
I am:	<input type="checkbox"/> A person representing a relevant aspect of the public interest; In this case, also specify below the grounds for saying that you come within this category; or <input checked="" type="checkbox"/> A person who has an interest in the proposal greater than the interest that the general public has. In this case, also specify below the grounds for saying that you come within this category; or	
My reasons for selecting the category ticked above are:		
Transpower NZ Ltd is the owner and operator of the National Grid. The need to operate, maintain, develop and upgrade the National Grid is identified as a matter of national significance under the National Policy Statement on Electricity Transmission 2008. Transpower also has an interest as a landowner and occupier.		
<b>3. Request to be heard at a hearing</b>		
<input checked="" type="checkbox"/> Yes, I wish to be heard at the hearing in support of my further submission; or		
<input type="checkbox"/> No, I do not wish to be heard at the hearing in support of my further submission		
<b>4. Joint submission</b>		
If others make a similar submission, I will consider presenting a joint case with them at the hearing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>5. Joint submission</b>		
<input checked="" type="checkbox"/> I have filled in the table on the next page with details of my further submission.		
<input checked="" type="checkbox"/> I have added <u>21</u> further pages/sheets that form part of my further submission.		
<input checked="" type="checkbox"/> I understand that I am responsible for serving a copy of my further submission on the original submitter(s) within 5 working days after it is served on Council.		
<b>6. Joint submission</b> (a signature is not required if you make your submission by electronic means)		
Signature of further submitter (or person authorised to sign on their behalf)		
Signature: (type name if submitting electronically)	Date: 9 November 2021	

**7. Return this form no later than 5pm Friday 29 October 2021 by:**

- Delivery to Central Hawkes Bay District Council office on Ruataniwha Street Waipawa or the Waipawa Library
- Post to Central Hawkes District Council, 28/32 Ruataniwha Street, Waipawa 4210
- Email to [districtplan@chbdc.govt.nz](mailto:districtplan@chbdc.govt.nz)

**2. Important notes to person making a further submission:**

**A. Content of further submission**

A further submission must be limited to a matter in support of, or in opposition to, an original submission. A further submission cannot introduce new matters that were not raised in original submissions.

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the further submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**B. Serving a copy of your further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council (See table on following page).

**C. Privacy Information**

Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.



Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
Spark New Zealand Trading Limited  S118.002	General Approach	Retain the 'General Approach' section as proposed.	Support	Transpower supports the General Approach statement, and reference to Network Utilities as they assist in plan interpretation and clarification.	The whole of the submission point be allowed.
Federated Farmers of New Zealand  S121.241	National Grid Sub division Corridor Definition	Amend the definition of 'National Grid Subdivision Corridor' as follows: <i>'the area measured either side of the centreline of above ground National Grid line as follows:</i> a. <i>14m for 110Kv national grid lines on single poles</i> b. <i>32m for 110Kv transmission lines on towers...</i> And correct the accompanying diagram.	Oppose	Transpower acknowledges the only towers on the Fernhill-Woodville A and B lines are those associated with crossing rivers. There are four such river crossings, resulting in eight towers. Given such towers exist, it is appropriate the subdivision setback remain at 32m for those towers, noting the setback acts as a restricted discretionary activity trigger for resource consent. In relation to the diagram, the definition itself is independent of the diagram and the text stands. The diagram provides a visual aid to interpret and apply the National Grid Yard and Corridor definitions.	The whole of the submission point be disallowed.
Horticulture New Zealand  S81.021	National Grid Yard Definition	Replace the definition of 'National Grid Yard' as follows: <i>'the area located within 12m in any direction from the outer visible edge of a National Grid support structure foundation or the area located within 10m either side of the centreline of an overhead 110kV National Grid line on single poles or the area located within 12m either side of the centreline of any overhead National Grid line on pi-poles or towers (including tubular steel towers where these replace steel lattice towers). The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated by Transpower New Zealand. The measurement of setback distances from National Grid lines shall be taken from the centerline of the transmission line and from the outer edge of any support structure. The centerline at any point is a straight line between the centre points of the two support structures at each end of the span.</i>	Oppose	The only difference between the definition as notified and that sought by Horticulture NZ is that the submitter seeks a 10m setback in any direction from a National Grid single pole or pi-pole, whereas the notified version requires 12m. Transpower opposes the relief sought. The "National Grid Yard" setback is based on the position of the conductors in normal everyday wind conditions, as well as space to allow the support structures and conductors to be accessed and provide sufficient space for most (but not all) maintenance activities. A 12m setback around each support structure is also sought for access, maintenance and safety purposes. The approach proposed within the Proposed District Plan reflects the nationwide transmission corridor approach.	The whole of the submission point be disallowed.



Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<p><b><i>The area located within:</i></b>  <b><i>- 12m in any direction from the visible outer edge of a National Grid tower; or</i></b>  <b><i>- 10m in any direction from a National Grid single pole or pi-pole; or</i></b>  <b><i>- the area located within 10m either side of the centreline of any overhead 110kV National Gridline on single or pi-pole; or</i></b>  <b><i>the area located within 12m either side of the centre line of any overhead National Grid line on towers.'</i></b></p>			
<p>Federated Farmers of New Zealand</p> <p>S121.242</p>	<p>National Grid Yard Definition</p>	<p>Amend the definition of 'National Grid Yard' asfollows:  <b><i>'For the 110kv Fernhill-Woodville A, and the 110kv Fernhill-Woodville B:</i></b>  <i>- the area located within 12m in any direction from the outer visible edge of a National Grid <del>support structure</del> <del>foundation</del> tower, and 8m from a National Grid pole,</i>  <i>- or the area located within 10m either side of the centreline of an overhead 110Kv National Grid line on single poles or the area located within 12m either side of the centreline of any overhead National Grid line on pi-poles or towers (including tubular steel towers where these replace steel lattice towers).</i>  <i>The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated by Transpower New Zealand. The measurement of setback distances from National Grid lines shall betaken from the centerline of the transmission line and from the outer edge of any support structure. structures at each end of the span.'</i>  <i>The centerline at any point is a straight line between the centre points of the two support structures at each end of the span.'</i></p>	<p>Oppose</p>	<p>The submitter seeks amendment to the setback from a pole support structure from 12m to 8m.                      Transpower opposes the relief sought. The“National Grid Yard” setback is based on the position of the conductors in normal everyday wind conditions, as well as space to allow the support structures and conductors to be accessed and provide sufficient space for most (but not all) maintenance activities. A 12m setback around each support structure is also sought for access, maintenance and safety purposes.                      The approach proposed within the Proposed District Plan reflects the nationwide transmission corridor approach. The submitter has referred to NZECP34 as the basis for establishing setbacks from pole support structures. Transpower does not support reliance on NZECP alone to give effect to the NPSET. NZECP34 also applies to all electricity lines and is not specific to the National Grid. As such it does not recognise the significance of the National Grid.                      Furthermore, the scope and purpose of NZECP34 is confined to safety. It is the Code of Practice that sets minimum safe distances to primarily protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards, and is focused only on minimum</p>	<p>The whole of the submission point be disallowed.</p>

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
				<p>safety standards. As such, the 8m referred to in NZECP34 provides guidance on safety distances only and does not provide for access, operation, maintenance and development relating to the Transmission Network, or distances to manage the adverse effects of third party activities. To go closer than 12m to the support structures does not allow sufficient space for access, operation, maintenance and development.</p> <p>Minimum safety requirements in the Code do not seek to protect the integrity of the National Grid from the effects of third parties. Nor does it provide for all access, workspace, step and touch hazards where activities or infrastructure cause restrictions or create unsafe situations, especially during work activities on either Transpower's assets or works by a member of the public under or near a line.</p> <p>On this basis, reliance on NZECP34 and the request to provide an 8m setback from support structures does not give effect to or achieve the requirements of the NPSET "to operate, maintain, develop and upgrade the National Grid".</p>	
<p>Kāinga Ora - Homes and Communities S129.016</p>	<p>NU-I3</p>	<p>Amend NU-I3 as follows: <i>'Effects of Other Activities on Network Utilities</i> <b>Where not appropriately managed, Anew subdivision, land use and development may impact on the safe and efficient functioning of network utilities.</b></p> <p><i>Explanation</i> <b>Where not appropriately managed, Anew subdivision, land use and development in close proximity to existing network utilities can have the potential to constrain or compromise the efficient or effective operation, maintenance and development of those network utilities. In some instances, this can compromise health and safety through the location of sensitive activities close to network</b></p>	<p>Oppose</p>	<p>While Transpower understands the intent of the submission point and relief sought, it does not consider the amendment necessary or required. The associated policies and rules provide the framework for considering appropriateness.</p>	<p>The whole of the submission point be disallowed.</p>

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<i>utilities, and through activities not adhering to safe clearances or safe distances from network utilities e.g. from electricity transmission networks (including the National Grid), high pressure gas network, overhead lines and cables, navigational aids, road and railway corridors etc.'</i>			
Horticulture New Zealand  S81.052	NU-O3	Amend NU-O3 as follows:  <i>'The safety, maintenance, upgrade or development of network utilities is, <b>to the extent reasonably possible</b>, not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.'</i>	Oppose	Transpower concurs with the submitter that the objective "is rather absolute". Such an approach is supported as it gives effect to the NPSET. Policy 10 directs activities to be managed, not qualifying the extent to which operation, maintenance, upgrading and development of the National Grid can be compromised.  The relief sought is opposed on the basis it changes the policy directive from a clear directive to ensure network utilities are not compromised, to a subjective assessment in that it introduces consideration of "to the extent reasonably possible". It does not give effect to Policy 10 of the NPSET.	The whole of the submission point be disallowed.
Kāinga Ora - Homes and Communities  S129.023	NU-P3	Delete NU-P3.  <i>Avoid significant adverse effects and remedy or mitigate other adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:</i> <i>1. High Natural Character Areas (in CE SCHED7); and</i> <i>2. Significant Amenity Features (in NFL SCHED6);</i>	Support in part	In its submission Transpower sought a specific policy framework to give effect to the NPSET.  Should this relief not be granted, Transpower supports the relief sought by Kāinga Ora for deletion of the policy. As noted by the submitter, "the terms 'high natural character areas' and 'significant amenity features' are not defined within the plan, and it is presumed that these areas do not meet the threshold for consideration as 'outstanding natural landscapes and features'. Given the lack of clarity around what constitutes a 'high natural character area' or a 'significant amenity feature', it is unclear to what degree the plan should have regard to these matters within an RMA context".	The submission point be allowed if the relief sought in Transpower's submission on NU-P3 is not granted.

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
Department of Conservation S64.024	NU-P4	Retain NU-P4.	Neutral	In its submission Transpower supported NU-P4. As such, the submission point by the Department of Conservation is supported. However, it is not clear how the policy “appropriately reflect Policy 8 of NPS-ET” (as stated in the reasoning for the submission point).	No specific relief sought.
Horticulture New Zealand S81.053	NU-P5	Amend NU-P5 as follows: <i>'To ensure that the adverse effects of subdivision, use and development, do not, to the extent reasonably possible, protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:</i> ...'	Oppose	Specific to the National Grid, Transpower opposes the relief sought on the basis it changes the policy directive from a clear directive to 'protect' network utilities, to a subjective assessment in that it introduces consideration of “to the extent reasonably possible”. Such a policy directive is not supported as it does not give effect to the NPSET.	The whole of the submission point be disallowed.
Horticulture New Zealand S81.055	NU-P5	Amend NU-P5(6) as follows: '... <i>6. managing land use development (including sensitive activities) buildings, structures and subdivision near within the National Grid subdivision corridor, within the National Grid Yard, or around a designated National Grid substation.</i> ...'	Support	Transpower supports the relief sought. The amendment sought reflects that sought in Transpower's submission.	The whole of the submission point be allowed.
Department of Conservation S64.025	NU-R3	Amend NU-R3 to include 'Permitted' standard to specify the construction of new network utilities where outside of any ONFL, SNA, SASM, HNCA or SAF. Where within one of the above overlay's activity should be 'Restricted Discretionary' with appropriate matters of discretion.	Neutral	Rule NU-R3 is specific to network utilities within the National Grid Yard. Transpower acknowledges the concerns of the submitter but is neutral on the relief sought.	No specific relief sought.
Horticulture New Zealand	NU-R3	Clarify that 'reticulation and storage of water for irrigation purposes carried out by a network utility operator' is provided as a permitted activity within the National Grid Yard by either	Support	Subject to the retention of other National Grid specific rules within the plan, Transpower has no objection to the deletion of the wording as shown in the submission.	The whole of the submission point be

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
S81.057		<p>NU-R3 or NU-R4. For example, delete from NU-R3 as follows:  <i>'NU-R3 Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) - within the National Grid Yard (other than for the reticulation and storage of water for irrigation purposes carried out by a network utility operator)</i>                      All Zones                      1. Activity Status: PER                      Where the following activity conditions are met: a. ...                      ...                      d. The activity is located a minimum distance of 12 metres from the outer visible foundation of any National Grid support structure and associated stay wire, unless it:                      i. ...                      ii. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and</p>			allowed.
Kāinga Ora - Homes and Communities S129.062	ECO-Ecosystems and Indigenous Biodiversity	<p>Kāinga Ora seeks amendments to address the below matters:</p> <ol style="list-style-type: none"> <li>1. Appropriate differentiation is needed between trimming versus clearance activities in relation to indigenous vegetation and habitat, the function each of these activities plan, and the likely discrepancies in adverse effects.</li> <li>2. Simplification and consolidation of assessment matters so as to provide greater certainty about the likely adverse effects requiring mitigation.</li> <li>3. Kāinga Ora opposes reference to terms 'high natural character areas' and 'significant amenity features' in that these terms are not defined within the plan, and it is presumed that these areas do not meet the threshold for consideration as 'outstanding natural landscapes and features.' Given the lack of clarity around what constitutes a 'high natural character</li> </ol>	Support in part	<p>Transpower concurs with the submission regarding lack of clarity as to what constitutes a 'high natural character area' or a 'significant amenity feature'.                      The submission point is therefore supported.</p>	<p>The submission point be allowed in part in so far as it relates to clarity sought as to what constitutes a 'high natural character area' or a 'significant amenity feature'.</p>



Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		area' or a 'significant amenity feature,' it is unclear to what degree the plan should have regard to these matters within an RMA context.			
Royal Forest and Bird Protection Society NZ  S75.030	ECO-O2	Amend ECO-O2 as below:  <i>'Maintain <b>and enhance</b> indigenous biodiversity within Central Hawke's Bay District.'</i>	Oppose	Transpower opposes the directive to 'enhance' indigenous biodiversity given there is no higher order policy directive to require enhancement of any non-significant indigenous vegetation.	The whole of the submission point be disallowed.
Kāinga Ora - Homes and Communities  S129.090 S129.092 S129.093 S129.094 S129.095	SUB-R1 SUB-R3 SUB-R4 SUB-R5 SUB-R6	Amend SUB-R1 as follows:  <i>'Subdivision not otherwise provided for All Zones</i> <i>1. Activity Status: CON</i> <i>Where the following conditions are met:</i> <i>a. Compliance with SUB-S1 or SUB-SX.</i> <i>...</i> <i><b>e. The land being subdivided is not located within an identified natural hazard area in the planning maps.</b></i> <i>Matters over which control is reserved:</i> <i>...</i> <i>2. Activity status where compliance with condition SUB-R1(1)(c) is not achieved: RDIS Matters over which discretion is restricted:</i> <i>...</i> <i><b>And in relation to non-compliances to SUB-R1(1)(b), SUB-R1(1)(c), SUB-R1(1)(d), and/or SUB-R1(1)(e), those matters below relevant to the non-compliance(s):</b></i> <i><b>k. SUB-AM16</b></i> <i><b>l. SUB-AMX</b></i> <i><b>m. SUB-AMY</b></i> <i><b>n. Whether alternative means of physical access to any national grid support structures and/or gas transmission</b></i>	Oppose	Transpower opposes the amendment seeking deletion of the non-complying activity status where compliance with the SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor standards is not achieved.  The specific activity status sought by the submitter is not clear from the amendments provided. The rationale for the deletion of the non-complying activity status is "risks and adverse effects of subdividing in such areas are generally well understood and can be clearly defined." It is not clear how the submitter proposes such matters be addressed given it also seeks deletion of the assessment matters in AM17 (submission point S129.121).  Transpower opposes deletion of the non-complying activity status. The purpose of the subdivision provisions within the proposed plan are to manage subdivision in the National Grid Corridor to ensure that the long-term maintenance, operation, upgrading and development of the National Grid is not compromised. Subdivision is the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through	The submission point be disallowed in part in so far as it relates to SUB-R1(1)(d)

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<p><i>network is available.</i></p> <p><del>3. Activity status where compliance with condition SUB-R1(1)(a) and/or SUB-R1(1)(b) is not achieved: DIS</del></p> <p><del>Activity status where compliance with condition SUB-R1(1)(d) is not achieved: NC'</del></p>		<p>the creation of reserves and/or open space where buffer corridors are located).</p> <p>The proposed plan provides for subdivision within the National Grid Subdivision Corridor as a restricted discretionary activity where a building platform is able to be accommodated outside the National Grid Yard, and access to support structures is provided. The restricted discretionary activity status for subdivision provides an appropriate incentive to design subdivision layouts that meet the standards. Importantly, it also provides for Transpower input into the subdivision proposal process and provides the ability for council to decline an application. Additionally, the activity classification provides clear guidance for applicants and the Council to ensure the design of subdivision manages the effects of the network on the future use of the subdivided land and the effects of that land use on the network. Specific examples where development has occurred that poses a risk to the secure and efficient operation of the National Grid include:</p> <ul style="list-style-type: none"> <li>(a) Support structures being ring fenced by dwellings creating risks, compromising access and the ability to maintain and develop the line;</li> <li>(b) Development being surrounded by transmission lines restricting vehicle access to the line and support structures to undertake maintenance works; and</li> <li>(c) Earthworks around support structures.</li> </ul> <p>A non-complying activity status sends a clear directive and gives effect to Policy 10 and Policy 11 of the NPSET.</p>	
<p>Federated Farmers of New Zealand</p> <p>S121.070</p>	<p>SUB-S4</p>	<p>Amend SUB-S4(2) and (3) as follows:</p> <p><i>'Subdivision of land within the National Grid Subdivision Corridor</i></p> <p>2. ...</p>	<p>Oppose</p>	<p>The relief sought in the submission point is opposed. While it is acknowledged a rural subdivision is different than that within an urban area, rural subdivisions can still compromise the National Grid.</p> <p>The purpose of the subdivision provisions within the</p>	<p>The whole of the submission point be disallowed</p>


Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<p><del>3. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.<sup>1</sup></del></p> <p>And rural subdivision that can meet the standard of a building site away from the National Grid Yard should have the same activity status as a normal rural subdivision.</p>		<p>proposed plan are to manage subdivision in the National Grid Corridor to ensure that the long-term maintenance, operation and development of the National Grid is not compromised. Subdivision is the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).</p> <p>The proposed plan provisions provide for subdivision within the National Grid Subdivision Corridor as a restricted discretionary activity where a building platform is able to be accommodated outside the National Grid Yard, and access to support structures is provided. The restricted discretionary activity status for subdivision provides an appropriate incentive to design subdivision layouts that meet the standards. Importantly, it also provides for Transpower input into the subdivision proposal process and provides the ability for council to decline an application. Additionally, the activity classification provides clear guidance for applicants and the Council to ensure the design of subdivision manages the effects of the network on the future use of the subdivided land and the effects of that land use on the network. Specific examples where development has occurred that poses a risk to the secure and efficient operation of the National Grid include:</p> <ul style="list-style-type: none"> <li>(a) Support structures being ring fenced by dwellings creating risks, compromising access and the ability to maintain and develop the line;</li> <li>(b) Development being surrounded by transmission lines restricting vehicle access to the line and support</li> </ul>	

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
				structures to undertake maintenance works; and (c) Earthworks around a support structure. A non-complying activity status sends a clear directive and gives effect to Policy 10 and Policy 11 of the NPSET.	
Kāinga Ora - Homes and Communities  S129.102	SUB-S4	<p>Delete SUB-S4(2), (3), (4) and (5).</p> <p><i>2. The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities.</i></p> <p><i>3. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</i></p> <p><i>4. The subdivision of land in any zone containing the Gas Transmission Network must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity that is at least 20m from the Gas Transmission Pipeline and 30m from above-ground equipment forming part of the Gas Transmission Network.</i></p> <p><i>5. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to the Gas Transmission Network where it is located on the allotments, including any balance area.</i></p>	Oppose	<p>The submission point is opposed.</p> <p>The purpose of the subdivision provisions within the proposed plan are to manage subdivision in the National Grid Corridor to ensure that the long-term maintenance, operation and development of the National Grid is not compromised, thereby giving effect to the NPSET.</p> <p>Transpower does not accept the proposition by the submitter that the “provisions are likely to unnecessarily hinder development where potential adverse effects could otherwise be managed”. It is not clear how the submitter proposes such matters be addressed given it also seeks deletion of the assessment matters in AM17 (submission point S129.121).</p> <p>Subdivision is the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).</p> <p>The proposed plan provisions provide for subdivision within the National Grid Subdivision Corridor as a restricted discretionary activity where a building platform is able to be accommodated outside the National Grid Yard, and access to support structures is provided. The restricted discretionary activity status for subdivision provides an appropriate incentive to design subdivision layouts that meet the standards. Importantly, it also provides for Transpower input into the subdivision</p>	The submission point be disallowed in part in so far as it relates to SUB-S4(2), (3)

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				<p>proposal process and provides the ability for council to decline an application. Additionally, the activity classification provides clear guidance for applicants and the Council to ensure the design of subdivision manages the effects of the network on the future use of the subdivided land and the effects of that land use on the network. Specific examples where development has occurred that poses a risk to the secure and efficient operation of the National Grid include:</p> <p>(a) Support structures being ring fenced by dwellings creating risks, compromising access and the ability to maintain and develop the line;</p> <p>(b) Development being surrounded by transmission lines restricting vehicle access to the line and support structures to undertake maintenance works; and</p> <p>(c) Earthworks around support structures</p> <p>A non-complying activity status sends a clear directive and gives effect to Policy 10 and Policy 11 of the NPSET.</p>	
<p>Kāinga Ora - Homes and Communities</p> <p>S129.121</p>	<p>SUB-AM17</p>	<p>Delete SUB-AM17.</p>	<p>Oppose</p>	<p>The submission point and relief sought is opposed. The matters within SUB-AM17 provide a clear set of assessment matters and are supported.</p>	<p>The whole of the submission point be disallowed</p>
<p>Federated Farmers of New Zealand</p> <p>S121.087</p>	<p>EW-R5</p>	<p>Amend EW-R5 as follows:</p> <p><i>'Earthworks and vertical holes within the National Grid Yard</i></p> <p><i>All Zones</i></p> <p><i>1. Activity Status: PER</i></p> <p><i>Where the following conditions are met:</i></p> <p><i>a. From National Grid poles, the earthworks must be no</i></p>	<p>Oppose</p>	<p>Rule EW-R5 provides standards in which manage earthworks within proximity of the National Grid. In its submission Transpower supported the content of EW-R5 as notified.</p> <p>The submitter seeks amendment to the rule on the basis of consistency with NZECP34 (specifically Section 2.2 of the Code). While Transpower understands the concerns of the submitter as to consistency between the code and the</p>	<p>The whole of the submission point be disallowed</p>



Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<p><i>deeper (measured vertically) than 300mm within 2.2m of the pole; and 750 mm between 2.2m and 5m of the pole, or</i></p> <p><i><b>b. From National Grid towers, the earthworks must be no deeper (measured vertically) than 300mm within 6m of a tower; and 3m between 6m and 12m of a tower 300mm within 12m of the outer visible edge of any National Grid support structure foundation, except under the following circumstances:</b></i></p> <p><i>i. ...</i></p> <p><i>ii. ...</i></p> <p><i>iii. vertical holes <del>not exceeding 500mm in diameter</del>, provided they:</i></p> <p><i>a. <b>are not exceeding 500 mm diameter and are more than 1.5m from the outer edge of the pole support structure or stay wire, or</b></i></p> <p><i>b. are a post hole for a farm fence or artificial crop protection or crop support structures and are more than <del>6m</del>5m from the visible outer edge of a tower support structure foundation.</i></p> <p><i>...'</i></p>		<p>district plan, Transpower does not support amendment to Rule EW-R5 based solely on NZECP34.</p> <p>At a general level, Transpower supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. Specifically, uncontrolled earthworks can undermine the support structures or generate dust. This can result in the build-up of material on the National Grid lines and increase the wear on the equipment reducing its useable lifespan. Excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks soil can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures around the lines, and may lead to potential tower failure and significant constraints on the operation of the lines, such as power outages. For these reasons, Transpower seeks control on earthworks near the National Grid. The provision of a rule framework achieves Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to operate it. With respect to the NZECP34, it applies to all electricity lines and is not specific to the National Grid. As such it does not recognise the significance of the National Grid. Furthermore, the scope and purpose of NZECP34 is confined to safety. It is the Code of Practice that sets minimum safe distances to primarily protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards and is focused only on minimum safety standards. It is Transpower's position that the minimum safety requirements in the Code alone do not protect the integrity of the National Grid from the effects of earthworks.</p>	

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				<p>In determining appropriate setback distances for earthworks from National Grid support structures, a common assumption made is that compliance with NZECP is sufficient to ensure the Grid is not compromised. The example below illustrates this is not the case and that NZECP34:2001 on its own does not give effect to the NPSET and Policy 10. Figure 1 illustrates earthworks that have been undertaken on a property that are technically compliant with NZECP34:2001. As a result of the earthworks in vicinity of the pole structure, Transpower's ability to operate and maintain the network has been compromised. The batter slope may become unstable as a result of erosion and slipping. Access to the site is now severely restricted and there is no ability for Transpower to operate heavy plant on the elevated platform. Ongoing engineering checks will be required to monitor the effects of erosion and to check the stability of the foundations.</p>  <p><i>Figure 1. NZECP34 compliant earthworks around a pole on ARI-HAM-A 110kV</i></p>	


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<p>Kāinga Ora - Homes and Communities</p> <p>S129.126</p>	<p>EW-R5</p>	<p>Amend EW-R5 as follows:</p> <p><i>'Earthworks and vertical holes within the National Grid Yard All Zones</i></p> <p><i>1. Activity Status: PER</i></p> <p><i>Where the following conditions are met:</i></p> <p><i>a. The earthworks must be no deeper (measured vertically) than 300mm within <del>6</del>12m of the outer visible edge of any National Grid support structure foundation, except under the following circumstances:</i></p> <p><i>...'</i></p>	<p>Oppose</p>	<p>Rule EW-R5 provides standards which manage earthworks within proximity of the National Grid. In its submission Transpower supported the content of EW-R5. The submitter seeks amendment to the rule without any justification or explanation other than "6 metres is a more appropriate buffer from the national grid support structure foundation within which earthworks limitations apply".</p> <p>Based on the information provided, Transpower does not accept this reasoning, or the relief sought.</p> <p>At a general level, Transpower supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. Specifically, uncontrolled earthworks can undermine the support structures or generate dust. This can result in the build-up of material on the National Grid lines and increase the wear on the equipment reducing its useable lifespan. Excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks soil can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures around the lines, and may lead to potential tower failure and significant constraints on the operation of the lines, such as power outages. For these reasons, Transpower seeks control on earthworks near the National Grid. The provision of a rule framework achieves Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to operate it.</p> <p>It is not clear why the submitter proposes 6m. If it is based on NZECP34 applies to all electricity lines and is not specific to the National Grid. As such it does not recognise the significance of the National Grid. Furthermore, the</p>	<p>The whole of the submission point be disallowed</p>

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
				scope and purpose of NZECP34 is confined to safety. It is the Code of Practice that sets minimum safe distances to primarily protect persons, property, vehicles and mobile plant from harm or damage from electrical hazards, and is focused only on minimum safety standards. It is Transpower's position that the minimum safety requirements in the Code alone do not seek to protect the integrity of the National Grid from the effects of earthworks. In determining appropriate setback distances for earthworks from National Grid support structures, a common assumption made is that compliance with NZECP is sufficient to ensure the Grid is not compromised. This is not the case.	
Horticulture New Zealand  S81.091	EW-S6	Amend EW-S6 to clearly state that 'ancillary rural earthworks' are a permitted activity.	Oppose	<p>Transpower acknowledge the concerns of the submitter that ancillary rural earthworks such as cultivation and road and track maintenance should be provided for as permitted activity consistent with NZECP:2001. However, notwithstanding cultivation is excluded from the definition of earthworks under the PDP, such activities are permitted where they comply with the standards within Rule EW-R5. Specifically Rule EW-R5.1(a)(ii) provides for such activities where the standards within EW-S6 are met. The standards within EW-S6 are as follows:</p> <ol style="list-style-type: none"> <li>1. <i>The earthworks must not compromise the stability of a National Grid support structure, and</i></li> <li>2. <i>The earthworks must not result in a reduction in ground-to-conductor clearance distances of less than: 6.5m (measured vertically) from a 110kV National Grid transmission line, and</i></li> <li>3. <i>The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.</i></li> </ol> <p>On the basis ancillary rural earthworks such as cultivation and road and track maintenance meet the standards, the</p>	The whole of the submission point be disallowed

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
				activity is permitted. Based on the above and the current definition of 'earthworks' no amendment is considered necessary to Rule EW-R5.	
Rayonier Matarki Forests  S85.016	EW-S6	Amend EW-S6 to exclude earthworks and land disturbance activities that relate to the NES-PF.	Support	Given there are no existing established forests within the Central Hawke's Bay, existing underneath transmission lines, Transpower has no objection to the relief sought.	The whole of the submission point be allowed
Federated Farmers of New Zealand  S121.097	EW-S6	Amend EW-S6 as follows:  <i>'Earthworks and Vertical Holes within the National Grid Yard All Zones</i> <i>1. The earthworks must not compromise the stability of a National Grid support structure, and</i> <i>2. The earthworks must not result in a reduction in ground-to-conductor clearance distances <b>specified in Table 4 of NZECP34</b>, of less than: 6.5m (measured vertically) from a 110kV National Grid transmission line, and</i> <i>3. The earthworks must not result in the permanent loss of vehicular access to any National Grid support structure.'</i>	Oppose	Rule EW-R5 provides standards in which manage earthworks within proximity of the National Grid. In its submission Transpower supported the content of R5. The submitter seeks amendment to the rule to: a) reference NZEPC34 in relation to conductor clearance distances and b) remove the access standard. At a general level, Transpower supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPSET. Specifically, uncontrolled earthworks can undermine the support structures or generate dust. This can result in the build-up of material on the National Grid lines and increase the wear on the equipment reducing its useable lifespan. Excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks soil can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures around the lines, and may lead to potential tower failure and significant constraints on the operation of the lines, such as power outages. For these reasons, Transpower seeks control on earthworks	The whole of the submission point be disallowed



Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
				<p>near the National Grid. The provision of a rule framework achieves Policies 2 and 10 of the NPSET in that it protects the integrity of the National Grid and the ability to operate it.</p> <p>With respect to sought deletion of reference to 6.5m and instead cross reference to NZECP, Transpower is not opposed to the outcome but supports a metric measurement as it is more readily understood than NZECP.</p> <p>With respect to the access requirement, Transpower has had instances in the past where access to a support structure is severed and there is no ability as is proposed by the submitter for "The Network Utility Operator will just have to travel to the structure using a different route". Figure 1 illustrates earthworks that have been undertaken on a property that are technically compliant with NZECP34:2001. As a result of the earthworks in vicinity of the pole structure, Transpower's ability to operate and maintain the network has been compromised. The batter slope may become unstable as a result of erosion and slipping. Access to the site is now severely restricted and there is no ability for Transpower to operate heavy plant on the elevated platform. Ongoing engineering checks will be required to monitor the effects of erosion and to check the stability of the foundations.</p>	

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				 <p data-bbox="1288 620 1890 678"><i>Figure 1. NZECP34 compliant earthworks around a pole on ARI-HAM-A 110kV</i></p>	
<p>New Zealand Defence Force</p> <p>S29.014</p>	<p>TEMP-R3</p>	<p>Retain TEMP-R3 as notified, with the following modifications:</p> <p><i>'Temporary military training activities</i> <i>All Zones</i> <i>1. Activity Status: PER</i> <i>Where the following conditions are met:</i> <i>a. Limited to:</i> <i>i. a period of 31 days, excluding set-up or pack- down activities, which can occur up to one week prior to commencement and up to one week following completion of the temporary military training activity.</i> <i>b. Compliance with:</i> <i>i. NOISE-S1(measurement and assessment of noise); and</i> <i>ii. NOISE-S5(31), NOISE-S5(32), NOISE- S5(33),and NOISE-S5(34) and NOISE-S5(35)(noise limits specific to temporary military training activities).</i> <i>c. Compliance with:</i> <i>i. EW-S1 (slope);</i> <i>ii. EW-S2 (extent of earthworks);</i> <i>iii. EW-S3 (vertical extent of earthworks);</i> <i>iv. EW-S4 (site reinstatement);</i> <i>v. EW-S5 (control of silt and sediment);</i></p>	<p>Oppose in part</p>	<p>Transpower's concerns with the submission point only relate to the reference to EW-S6. Transpower understands the New Zealand Defence Force are not disputing the need to comply with the standard, rather than reference within TEMP-R3 is not required. Related to concerns raised in its original submission regarding linkages between the plan chapters and various plan provisions, Transpower is not clear if rule EW-S6 will be otherwise captured by 'Temporary military training activities'. The rule linkages are ambiguous and open to interpretation. If EW-S6 is otherwise captured and would apply, Transpower has no concerns with deletion from TEMP-R3. However if not, it opposes the submission point and seeks retention of the reference.</p>	<p>The submission point be disallowed in part in so far as it relates to <i>vi.EW-S6 (earthworks within the National Grid Yard)</i></p>

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		<p>vi. <del>EW-S6 (earthworks within the National Grid Yard); and</del>                      vii. <del>EW-S8 (electrical safety distances);</del>                      d. No permanent structures <del>must</del> <b>shall</b> be constructed, <b>unless otherwise permitted by the plan.</b>'</p>			
Horticulture New Zealand  S81.129	GRUZ-S13	Amend GRUZ-S13(3)(b) as follows:  'Setback from National Grid Yard and National Grid Substation ... 3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be setback at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is: a. ... b. an artificial crop protection structure or crop <del>protection</del> <b>support</b> structure between 8m and 12m from a pole support structure and any associated stay wire, that: i. ...	Support	Notwithstanding the relief sought in Transpower's original submission, the amendment to refer to 'crop support' as opposed to 'crop protection' structure is supported.	The whole of the submission point be allowed
Federated Farmers of New Zealand  S121.199	GRUZ-S13	Delete GRUZ-S13(1).	Support	In its submission Transpower sought deletion of GRUZ-S13(1). This was on the basis of the 12ha minimum lot size for subdivision within the zone and that there are no sensitive activities within proximity of the site.	The whole of the submission point be allowed
Federated Farmers of New Zealand S121.200  S121.230	GRUZ-S13  RPROZ-15	Delete GRUZ-S13(2)(b). and Delete RPROZ-S15(2)(b).  ... 2. Under the National Grid conductors (wires): a. on all sites within any part of the National Grid Yard, all buildings and structures must: i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or	Oppose	Transpower opposes the submission point. While the submitters raises concerns with the access component of the standard, and that compliance is required with NZECP34, Transpower remains of the opinion clause b. is appropriate and warranted.  With respect NZECP34, Transpower's position is that reliance on NZECP alone to give effect to the NPSET is not appropriate. NZECP34 also applies to all electricity lines and is not specific to the National Grid. As such it does not recognise the significance of the National Grid. The	The whole of the submission point be disallowed

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
		<p><i>ii. be a fence less than 2.5m high; or</i></p> <p><i>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</i></p> <p><i>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</i></p> <p><del><i>b. all buildings or structures permitted by a. must comply with the following conditions:</i></del></p> <p><del><i>i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.</i></del></p> <p><del><i>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</i></del></p>		<p>requirement for a clearance distance is a crucial component of the corridor approach as infringements to the required clearance can endanger safety and affect the operation of the Grid.</p> <p>With regards to access, it is important Transpower is readily access support structures for operational and maintenance requirements, including responding to emergency faults.</p>	
<p>Horticulture New Zealand  S81.174</p>	<p>RPROZ-S15</p>	<p>Amend RPROZ-S15(3)(b) as follows: <i>'Setback from National Grid Yard and National Grid Substation</i> ... <i>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be setback at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:</i></p> <p><i>a. ...</i></p> <p><i>b. an artificial crop protection structure or crop <del>protection</del> support structure between 8m and 12m from a pole support structure and any associated stay wire, that:</i></p> <p><i>i. ...</i></p>	<p>Support</p>	<p>Notwithstanding the relief sought in Transpower's original submission, the amendment to refer to 'crop support' as opposed to 'crop protection' structure is supported.</p>	<p>The whole of the submission point be allowed</p>

Central Hawke's Bay District Plan – Further Submission by Transpower NZ Ltd

Submitter Name/ Number and Point	Plan Provision	The particular parts of the submission Transpower support or oppose (as derived from the summary of submissions) are:	Transpower Position	Summary of Reasons The reasons for Transpower's support or opposition are	Transpower seeks that the whole or part of the submission be allowed /disallowed
Federated Farmers of New Zealand  S121.229	RPROZ-S15	Delete RPROZ-S15(1).	Support	In its submission Transpower sought deletion of RPROZ-S15(1). This was on the basis of the 12ha minimum lot size for subdivision within the zone and that there are no sensitive activities within proximity of the site.	The whole of the submission point be allowed

**Appendix C      Relevant parts of the Respondent's Decision**



## GRUZ – General Rural Zone

### Introduction

The General Rural Zone, which encompasses the largest proportion of the rural area of the District, is used primarily for primary production (including intensive primary production). It is the area of generally undulating-to-hilly land inland of the coast, and extending through to the Ruahine Range in the west, and has a diverse range of land uses. The predominant land use is pastoral (the backbone of the District's economy) although the zone includes production forestry blocks and the conservation estates of the Ruahine Range, which forms the backdrop to the District. The General Rural Zone also encompasses the coastal environment of the District, where this falls outside of the Large Lot Residential Zone (Coastal).

The rural environment is generally sparsely settled and is characterised by a predominance of open space. There are a small number of commercial or industrial activities within the rural environment that are of a small scale and largely service the primary production sector and rural communities.

The rural landscape also supports a range of recreational activities, such as hunting and fishing in the rural area focusing on the Tukituki, Waipawa, and Porangahau Rivers, the Ruahine Ranges and the coast.

The Central Hawke's Bay's rural land area also accommodates a range of indigenous plant communities, including mountain forests of the Ruahine Range, podocarp-broadleaf remnant forests on the plains and coastal ranges, and coastal wetland and dune ecosystems.

### Issues

#### **GRUZ-I1            Protecting the Life-Supporting Capacity of the District's Soil Resource**

**The District's soil resource is finite, and inappropriate development or subdivision into smaller lots for activities that are not related to land-based primary production could cumulatively, and irreversibly, diminish the productive capacity of this finite resource for current and future generations.**

#### Explanation

Land-based primary production underpins the economic, social, and cultural well-being of the District, and the District's rural land resource is important for sustaining this production. The soils within the rural environment are a significant resource base for the District.

The fragmentation of land holdings and new housing and other development which results from subdivision has a cumulative impact upon the rural environment, particularly on future options for the use of productive land. This includes direct loss of productive land for primary production, the cumulative effects of incremental loss over time, and the increasing incidence of reverse sensitivity arising.

The historical approach to subdivision within the rural area of the District has been to enable subdivision down to relatively small lots throughout the District, rather than to channel certain types of subdivision and development to particular locations. While each proposal may only have minor effects on its own, the cumulative effects over time can be very significant. The challenge is to ensure that subdivision under the District Plan rules, particularly those stipulating minimum lot sizes, does not compromise the productive potential of the District's rural land resource.

#### **GRUZ-I2            Protecting Rural Amenity and the Quality of the Rural Environment and Primary Production Capability**

**Primary production, (including intensive primary production), and other complementary rural, residential, and recreation-based activities, underpin the social, economic, and cultural wellbeing of the District (particularly for the District's rural communities), but they can also adversely affect rural environmental, cultural, and amenity values or result in conflict that affects primary production capability.**

**The establishment of incompatible activities within rural areas can:**

- 1. result in the loss of productive land;**
- 2. conflict with existing rural activities, including through reverse sensitivity; and**
- 3. detract from rural character and amenity.**

#### Explanation

The rural environment supports a variety of land based primary production activities including dry stock farming, cropping, dairying, horticulture, plantation forestry, small niche farming land uses, as well as intensive primary production activities and rural service activities. These activities typically have an associated assortment of buildings and equipment, such as packing and processing sheds, milking sheds, fertiliser depots and rural contractor's yards. Infrastructural and other industrial-type activities also occur in the rural environment, such as network utility facilities (e.g. transmission lines), quarrying, aggregate processing, and gravel extraction, all of which are critical to the functioning of the District. Other complementary activities provide support services to land-based primary production or are themselves based on a natural resource (such as tourism/recreation).

The above activities also play a large role in the formation of a common rural character and amenity. Rural amenity values include landscape and scenic values, individual privacy, open rural outlook and open space, vegetation prevailing over built elements, openness, and ease of access, clean air, unique odours, overall quietness, water availability and the well-being of the community.

Productive working environments are common and may contain large utilitarian buildings associated with farming. In general, buildings or structures are typically relatively low and non-urban in density, with larger setbacks from external property boundaries, and with the height, scale, density, and number of buildings not dominating the landscape and open space qualities of the rural environment. Properties are self-serviced with respect to water supply, wastewater disposal and stormwater management.

While most of these activities are generally considered acceptable, practices associated with them have the potential to generate adverse effects on the rural environment, depending on their size and location, and the proximity and sensitivity of adjacent land uses. These practices include the use of agrichemicals, shading from shelter belts, general use of farm machinery both on- and off-farm, the harvesting of crops which may occur at various times including at night, the weekend, and public holidays. These practices have the potential to create noise, dust, and odour either of a temporary or intermittent nature beyond the boundary of the property concerned. These are legitimate farming practises which may nevertheless impact on the amenity of others. Because these practices are an accepted and integral part of land-based primary production, they should not be unreasonably constrained by other activities. Setbacks from primary production activities will assist in avoiding reverse sensitivity.

Some types of activities (such as un-related commercial, retail, and industrial activities) may be incompatible with rural character and amenity values or create conflict with other existing lawfully established activities. Furthermore, these other activities may introduce urban characteristics or features, and they lend themselves to be more appropriately located in an urban location, where the servicing, infrastructure and facilities are more suitable to assist in avoiding, remedying, or mitigating their potential adverse effects.

Avoidance of inappropriate and incompatible land uses that are inconsistent with the rural environment's location-specific values is important to maintain environmental quality and ensure that the productive use of land resources (for a resilient and diverse economy) is not compromised. There is a need to strike a balance between providing for a range of uses and development of natural and physical resources, and the preservation

of that character, and those amenity values (such as vegetation prevailing over built elements, open space, privacy, ease of access and landscape and scenic values).

Rural-residential dwellers are often attracted to rural areas by the perceived quality of the rural environment, particularly its amenity values. Others choose to live in the country, as this is where their work is located, or because they were previously employed in the rural area. The rural environment is the residential location of necessity for farmers and other land users. Therefore, adequate rural living opportunities are required to support sustainable rural communities.

However, cumulative pressures and demands for rural living can generate tensions between those who opt for a rural lifestyle for open space, privacy, peace, and quiet, and scenic values, and those who rely on the productive capability of the rural land resource. Rural living can result in reverse sensitivity conflicts, as residents with higher expectations of amenity move into a rural environment, where previously, noise, dust and stock movements were generally considered a usual aspect of the rural environment.

If increasing density of rural subdivision is allowed in close proximity to existing intensive primary production activities, it can undermine the viability of such activities should complaints about heavy traffic or objectionable noise, dust or odour arise.

Increasing density of subdivision can also intensify pressure on the range of infrastructure servicing (roads and reticulated services), and conflicts with infrastructure services for intensive primary production activities (e.g. if rural roads are expected to be of a higher quality).

In response to this issue, and the reverse sensitivity issues of rural subdivision on land-based primary production activities, any rural-residential living opportunities within the rural zones should be of a size, intensity and scale that is consistent with productive land uses so that the wider rural environment and associated land use activities are not compromised.

## Objectives

**GRUZ-01**      **The General Rural Zone is predominantly used for primary production activities (including intensive primary production) and ancillary activities.**

**GRUZ-02**      **The predominant character of the General Rural Zone is maintained, which includes:**

- 1. overall low-density built form, with open space and few structures;**
- 2. a predominance of primary production activities and associated buildings, such as barns and sheds, post-harvest facilities, seasonal workers accommodation, and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;**
- 3. the sounds, smells, and traffic associated with primary production activities and established rural industries, anticipated from a working rural environment;**
- 4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;**
- 5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one; and**
- 6. an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).**

**GRUZ-03**      **Activities are managed to ensure rural character and amenity and, where applicable, the natural character and amenity values present within the coastal environment are maintained.**

**GRUZ-O4** The primary productive purpose and predominant character of the General Rural Zone are not compromised by the establishment of potentially incompatible activities.

## **Policies**

**GRUZ-P1** To enable primary production (including intensive primary production) and ancillary activities, recognising the primary productive purpose and predominant character and amenity of the General Rural Zone.

**GRUZ-P2** To provide for non-primary production related activities that have a functional or operational need for a rural location, and/or that support the function and wellbeing of rural communities and/or the enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, and where they are managed to ensure that:

1. their scale, intensity and built form are in keeping with the rural character of the General Rural Zone;
2. they maintain a level of amenity in keeping with the rural character of the General Rural Zone;
3. they minimise reverse sensitivity effects on activities otherwise anticipated within the General Rural Zone; and
4. adverse effects are avoided, remedied or mitigated.

**GRUZ-P3** To manage the scale of post-harvest facilities rural industry and commercial activities to ensure that they remain compatible with the primary productive purpose of the General Rural Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.

**GRUZ-P4** To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area and, where applicable, to protect the natural character and amenity of the coastal environment.

**GRUZ-P5** To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.

**GRUZ-P6** To manage location of trees so that adjoining public roads and properties are not adversely affected by shading.

**GRUZ-P7** To ensure incompatible activities do not locate in the General Rural Zone where the activity:

1. undermines the primary productive purpose and predominant character of the General Rural Zone;
2. constrains the establishment and use of land for primary production;
3. result in reverse sensitivity and/or lead to land use conflict; and/or
4. does not have a functional or operational need for a rural location.

**GRUZ-P8** To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or that restricts the use of rural land for productive purposes.

- GRUZ-P9** To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the General Rural Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.
- GRUZ-P10** To ensure activities within the General Rural Zone are self-sufficient in the provision of a suitable on-site wastewater treatment and disposal system, stormwater disposal system, and water supply, unless an appropriate alternative system is available to connect to.

## Rule Overview Table

Use/activity	Rule Number
Residential activities	GRUZ-R1
Seasonal workers accommodation	GRUZ-R2
Primary production activities	GRUZ-R3
Artificial crop protection structures	GRUZ-R20
Agricultural aviation movements ancillary to primary production activities	GRUZ-R4
Rural airstrips and/or helicopter landing areas	GRUZ-R5
Post-harvest facilities	GRUZ-R6
Home businesses	GRUZ-R7
Visitor accommodation	GRUZ-R8
Commercial activities not otherwise provided for	GRUZ-R9
Community facilities	GRUZ-R10
Educational facilities	GRUZ-R11
Emergency service activities and emergency aviation movements	GRUZ-R12
Relocated buildings	GRUZ-R13
Intensive primary production activities	GRUZ-R14
Camping grounds	GRUZ-R16
Rural industry (other than post-harvest facilities)	GRUZ-R21
Airport / aerodrome (other than rural airstrip), and helicopter depot	GRUZ-R22
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	GRUZ-R15
Relocatable building depots	GRUZ-R17
Any other activity not otherwise provided for	GRUZ-R18
Industrial activities (other than post-harvest facilities and rural industry)	GRUZ-R19

## Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

GRUZ-R1 Residential activities	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ol style="list-style-type: none"> <li>i. one residential unit per site with an area less than 20 hectares, and</li> <li>ii. one additional residential unit (i.e. a total of two) per site with an area of between 20 hectares and less than 50 hectares, and</li> <li>iii. two additional residential units (i.e. a total of three) per site with an area of between 50 hectares and less than 100 hectares, and</li> <li>iv. three additional residential units (i.e. a total of four) per site with an area of 100 hectares or greater, and</li> <li>v. one minor residential unit per site:               <ol style="list-style-type: none"> <li>a. limited to a maximum gross floor area of 100m<sup>2</sup> (exclusive of garages, and verandahs less than 20m<sup>2</sup>); and</li> <li>b. must share vehicle access with the principal residential unit on the site; and</li> <li>c. must be located no further than 50m from a principal residential unit on the site.</li> </ol> </li> </ol> <p>b. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ol> <p>c. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> <li>ii. GRUZ-S12 (setback from gas transmission network).</li> </ol> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p><i>Note 1: an existing principal residential unit may become the minor residential unit provided that all standards and terms are met.</i></p>	<p><b>2. Activity status where compliance with condition GRUZ-R1(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ol style="list-style-type: none"> <li>a. Assessment matters:           <ol style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ol> </li> <li>b. Assessment matters in the following chapters:           <ol style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ol> </li> </ol>
	<p><b>3. Activity status where compliance with conditions GRUZ-R1(1)(a) and/or GRUZ-R1(1)(c) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition GRUZ-R1(1)(d) is not achieved: NC</b></p>



*Note 2: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).*

### GRUZ-R2 Seasonal workers accommodation

#### 1. Activity Status: PER

##### Where the following conditions are met:

- a. Limited to:
  - i. A maximum gross floor area of 125m<sup>2</sup>.
  - ii. All new buildings are relocatable in design or able to be reconfigured to buildings accessory to land-based primary production.
  - iii. The site is not a 'lifestyle site' (a site created through the lifestyle site subdivision provisions of the District Plan).
- b. Compliance with:
  - i. GRUZ-S2;
  - ii. GRUZ-S3;
  - iii. GRUZ-S4;
  - iv. GRUZ-S5;
  - v. GRUZ-S6;
  - vi. GRUZ-S7;
  - vii. GRUZ-S8;
  - viii. GRUZ-S9; and
  - ix. GRUZ-S10.
- c. Compliance with:
  - i. GRUZ-S11 (setback from existing intensive primary production); and
  - ii. GRUZ-S12 (setback from gas transmission network).
- d. Compliance with GRUZ-S13 (setbacks from National Grid).

*Note: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).*

#### 2. Activity status where compliance with condition GRUZ-R2(1)(b) is not achieved: RDIS

##### Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
  - i. GRUZ-AM1.
  - ii. GRUZ-AM2.
  - iii. GRUZ-AM3.
  - iv. GRUZ-AM14.
  - v. GRUZ-AM15.
- b. Assessment matters in the following chapters:
  - i. TRAN — Transport.
  - ii. LIGHT — Light.
  - iii. NOISE — Noise.

#### 3. Activity status where compliance with condition GRUZ-R2(1)(a) is not achieved: RDIS

##### Matters over which discretion is restricted:

- a. Whether the proposed building location will allow for efficient use of the remaining undeveloped land for primary production activities.
- b. Whether the scale and design of the proposed building complements the character of the area.
- c. Whether the siting of the activity will impact on the amenity of adjoining properties, or any dwelling established in an adjoining zone within 100m of the activity.
- d. Whether soil values have been taken into account in selecting the site for the building.
- e. Whether traffic generation associated with the number of occupants will adversely impact on the road network.
- f. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design and appearance of buildings.

#### 4. Activity status where compliance with condition GRUZ-R2(1)(c) is not achieved:

	DIS
	5. Activity status where compliance with condition GRUZ-R2(1)(d) is not achieved: NC
<b>GRUZ-R3 Primary production activities (including accessory buildings and structures (primary production), but excluding post-harvest facilities, mining and quarrying)</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ol> <p>b. Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p><i>Note: The provisions of the Rural Production Zone in the District Plan do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which addresses such things as setbacks, earthworks management, land preparation, harvesting and replanting.</i></p>	<p><b>2. Activity status where compliance with condition GRUZ-R3(1)(a) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ol style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM14.</li> <li>iv. GRUZ-AM15.</li> </ol> <p>b. Assessment matters in the following chapters:</p> <ol style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ol>
	3. Activity status where compliance with condition GRUZ-R3(1)(b) is not achieved: NC
<b>GRUZ-R20 Artificial Crop Protection Structures</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ol style="list-style-type: none"> <li>i. Use of green or black cloth on vertical faces within 30m of the site boundary;</li> <li>ii. Use of green, black, or white cloth on horizontal surfaces.</li> </ol> <p>b. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S2 Height of buildings;</li> <li>ii. GRUZ-S5(4) and GRUZ-S5(5) Setback from neighbours;</li> <li>iii. GRUZ-S7 Electrical safety distances; and</li> <li>iv. GRUZ-S13 Setbacks from National Grid.</li> </ol>	<p><b>2. Activity status where compliance not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ol style="list-style-type: none"> <li>a. The effects of not meeting the conditions in respect to cloth colour and building height.</li> <li>b. The effects of not meeting setbacks from the National Grid.</li> <li>c. Assessment Matter GRUZ-AM14 in relation to not meeting electricity safety distances.</li> </ol>
<b>GRUZ-R4 Agricultural aviation activities</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met: N/A</b></p> <p><i>Note: NOISE-S5(11) &amp; (12) apply to noise associated with agricultural aviation activities.</i></p>	<p><b>2. Activity status where compliance not achieved: N/A</b></p>
<b>GRUZ-R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas</b>	

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. The rural airstrip or helicopter landing area is located a minimum distance of:                     <ul style="list-style-type: none"> <li>i. 2km from any General Residential, Large Lot Residential (Coastal), Settlement, or Rural Lifestyle Zone boundary, and</li> <li>ii. 500m from the notional boundary of any building associated with an existing or consented noise sensitive activity not located on the same site, and</li> <li>iii. 50m from a State Highway..</li> </ul> </li> <li>b. Compliance with:                     <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> </li> <li>c. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R5(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:                     <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:                     <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
	<p><b>3. Activity status where compliance with conditions GRUZ-R5(1)(a) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition GRUZ-R5(1)(c) is not achieved: NC</b></p>

**GRUZ-R6 Post-harvest facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to 2500m<sup>2</sup> gross floor area per site, or 200m<sup>2</sup> gross floor area per site where located within the Coastal Environment Area.</li> <li>b. Compliance with:                     <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9;</li> <li>ix. GRUZ-S10.</li> </ul> </li> <li>c. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R6(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:                     <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM14.</li> <li>iv. GRUZ-AM15.</li> </ul> </li> <li>b. Assessment matters in the following chapters:                     <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
	<p><b>3. Activity status where compliance with condition GRUZ-R6(1)(a) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition GRUZ-R6(1)(c) is not achieved: NC</b></p>

**GRUZ-R7 Home businesses**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p>	<p><b>2. Activity status where compliance with condition GRUZ-R7(1)(b) is not achieved: RDIS</b></p>
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<p>a. Compliance with GRUZ-S1 (the relevant activity thresholds).</p> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> <li>ii. GRUZ-S12 (setback from gas transmission network).</li> </ul> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ul> </li> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions GRUZ-R7(1)(a) and/or GRUZ-R7(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R7(1)(d) is not achieved: NC</b></p>
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**GRUZ-R8 Visitor accommodation**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ul style="list-style-type: none"> <li>i. Length of stay for any one guest must be no greater than 3 months in any 12-month period; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.</li> </ul> <p><i>Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.</i></p> <p>b. Compliance with GRUZ-S1 (the relevant activity thresholds).</p> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> <p>d. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing primary production); and</li> <li>ii. GRUZ-S12 (setback from gas transmission network).</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R8(1)(c) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ul> </li> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions GRUZ-R8(1)(a), GRUZ-R8(1)(b) and/or GRUZ-R8(1)(d) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R8(1)(e) is not achieved: NC</b></p>
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<p>e. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	
<p><b>GRUZ-R9 Commercial activities not otherwise provided for</b></p>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Any retail sales are limited to produce reared or produced on the site.</p> <p>b. Compliance with GRUZ-S1 (the relevant activity thresholds).</p> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition GRUZ-R9(1)(c) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul>
	<p><b>3. Activity status where compliance with condition GRUZ-R9(1)(a) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with conditions GRUZ-R9(1)(b) and/or GRUZ-R9(1)(d) is not achieved: NC</b></p>
<p><b>GRUZ-R10 Community facilities</b></p>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ul style="list-style-type: none"> <li>i. 100m<sup>2</sup> gross floor area per site; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R10(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM8.</li> <li>v. GRUZ-AM14.</li> <li>vi. GRUZ-AM15.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul>
	<p><b>3. Activity status where compliance with conditions GRUZ-R10(1)(a) and/or GRUZ-R10(1)(c) is not achieved: DIS</b></p>

d. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>4. Activity status where compliance with condition GRUZ-R10(1)(d) is not achieved: NC</b>
<b>GRUZ-R11 Educational facilities</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ol style="list-style-type: none"> <li>i. 200m<sup>2</sup> gross floor area per site; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.</li> </ol> <p>b. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ol> <p>c. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> </ol> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition GRUZ-R11(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ol style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ol> <p>b. Assessment matters in the following chapters:</p> <ol style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ol>
	<b>3. Activity status where compliance with conditions GRUZ-R11(1)(a) and/or GRUZ-R11(1)(c) is not achieved: DIS</b>
	<b>4. Activity status where compliance with condition GRUZ-R11(1)(d) is not achieved: NC</b>
<b>GRUZ-R12 Emergency service activities and emergency service activities</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to 100m<sup>2</sup> gross floor area per site.</p> <p>b. Compliance with:</p> <ol style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ol> <p>c. Compliance with GRUZ-S12 (setback from gas transmission network).</p> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition GRUZ-R12(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ol style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM14.</li> <li>iv. GRUZ-AM15.</li> </ol> <p>b. Assessment matters in the following chapters:</p> <ol style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ol>
	<b>3. Activity status where compliance with conditions GRUZ-R12(1)(a) and/or GRUZ-R12(1)(c) is not achieved: DIS</b>
	<b>4. Activity status where compliance with condition GRUZ-R12(1)(d) is not achieved:</b>



NC	
<b>GRUZ-R13 Relocated buildings</b>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ol style="list-style-type: none"> <li>a. The building must be for the purpose of accommodating a permitted or consented activity on the site.</li> <li>b. Compliance with GRUZ-S14.</li> </ol>	<p><b>2. Activity status where compliance not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.</li> <li>b. The bulk and location of the building in relation to the requirements of the zone.</li> <li>c. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.</li> <li>d. The imposition of a performance bond to ensure compliance with the consent conditions.</li> </ol> <p><i>Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.</i></p>
<b>GRUZ-R14 Intensive primary production activities</b>	
<p><b>1. Activity Status: CON</b></p> <p><b>Where the following conditions are met:</b></p> <ol style="list-style-type: none"> <li>a. Minimum setbacks for buildings housing animals reared intensively, enclosures accommodating animals reared intensively, and organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, from:             <ol style="list-style-type: none"> <li>i. any Settlement, Rural Lifestyle, Large Lot Residential (Coastal) or General Residential Zone boundary is 500m.</li> <li>ii. from a property boundary is 200m.</li> </ol> </li> <li>b. Compliance with:             <ol style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ol> </li> <li>c. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ol> <p><b>Matters over which control is reserved:</b></p> <ol style="list-style-type: none"> <li>d. Effects on character and amenity of the zone from traffic generated by the proposal and the hours of operation.</li> </ol>	<p><b>2. Activity status where compliance with condition GRUZ-R14(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ol style="list-style-type: none"> <li>a. Assessment matters:             <ol style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM14.</li> <li>iv. GRUZ-AM15.</li> </ol> </li> <li>b. Assessment matters in the following chapters:             <ol style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ol> </li> </ol> <p><b>3. Activity status where compliance with condition GRUZ-R14(1)(a)(ii) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ol style="list-style-type: none"> <li>a. Assessment Matters:             <ol style="list-style-type: none"> <li>i. GRUZ-AM9.</li> </ol> </li> </ol>

- e. The method of storage and use of materials associated with the operation of the activity that may generate noxious, offensive, or objectionable odour beyond the site boundary.
- f. Methods of disposal of stormwater and wastewater for the activity.
- g. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity.

**4. Activity status where compliance with conditions GRUZ-R14(1)(a)(i) and/or GRUZ-R14(1)(c) is not achieved: NC**

#### GRUZ-R16 Camping grounds

##### 1. Activity Status: RDIS

###### Where the following conditions are met:

- a. Compliance with:
  - i. GRUZ-S2;
  - ii. GRUZ-S3;
  - iii. GRUZ-S4;
  - iv. GRUZ-S5;
  - v. GRUZ-S6;
  - vi. GRUZ-S7;
  - vii. GRUZ-S8;
  - viii. GRUZ-S9;
  - ix. GRUZ-S10; and
  - x. GRUZ-S15.
- b. Compliance with:
  - i. GRUZ-S11 (setback from existing intensive primary production); and
  - ii. GRUZ-S12 (setback from gas transmission network).
- c. Compliance with GRUZ-S13 (setbacks from National Grid).  
Matters over which discretion is restricted:
- d. Assessment matters (where relevant to the infringed standard(s)):
  - i. GRUZ-AM1.
  - ii. GRUZ-AM2.
  - iii. GRUZ-AM3.
  - iv. GRUZ-AM11.
  - v. GRUZ-AM14.
  - vi. GRUZ-AM15.
- e. Assessment matters in the following chapters:
  - i. TRAN — Transport.
  - ii. LIGHT — Light.

**2. Activity status where compliance with conditions GRUZ-R16(1)(a) and/or GRUZ-R16(1)(b) is not achieved: DIS**

**3. Activity status where compliance with condition GRUZ-R16(1)(c) is not achieved: NC**

#### GRUZ-R21 Rural industry (other than post-harvest facilities)

##### 1. Activity Status: DIS

###### Where the following conditions are met:

- a. Compliance with GRUZ-S13 (setbacks from National Grid).
- Subject to (but not limited to) the following assessment matter:**
- a. The necessity of a rural location.

**2. Activity status where compliance with condition GRUZ-R21(1)(a) is not achieved: NC**

#### GRUZ-R22 Airport / aerodrome (other than rural airstrip), and helicopter depot

<b>1. Activity Status: DIS</b>  <b>Where the following conditions are met:</b> a. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>2. Activity status where compliance with condition GRUZ-R22(1)(a) is not achieved: NC</b>
<b>GRUZ-R15 Commercial boarding and/or breeding of cats, dogs, and other domestic pets</b>	
<b>1. Activity Status: DIS</b>  <b>Where the following conditions are met:</b> a. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>2. Activity status where compliance with condition GRUZ-R15(1)(a) is not achieved: NC</b>
<b>GRUZ-R17 Relocatable building depots</b>	
<b>1. Activity Status: DIS</b>  <b>Where the following conditions are met:</b> a. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>2. Activity status where compliance with condition GRUZ-R17(1)(a) is not achieved: NC</b>
<b>GRUZ-R18 Any other activity not otherwise provided for</b>	
<b>1. Activity Status: DIS</b>  <b>Where the following conditions are met:</b> a. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>2. Activity status where compliance with condition GRUZ-R18(1)(a) is not achieved: NC</b>
<b>GRUZ-R19 Industrial activities (other than post-harvest facilities and rural industry)</b>	
<b>1. Activity Status: NC</b>  <b>Where the following conditions are met: N/A</b>	<b>2. Activity status where compliance not achieved: N/A</b>

## Standards

<b>GRUZ-S1 Activity Threshold</b>	
<b>Commercial Activities</b>  <b>Visitor Accommodation</b>  <b>Home Businesses</b> (excludes retail sales and restaurants)	1. Maximum gross floor area per site is 100m <sup>2</sup> . 2. Personnel limited to: a. At least one person resident on the site must carry out the activity. b. A maximum of three additional employees (in addition to those resident on the site).  <i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 100m<sup>2</sup> maximum floor area, provided the existing residential activity does not cease.</i>
<b>Retail Sales of produce reared or produced on the site</b>	3. Maximum gross floor area per site is 100m <sup>2</sup> . 4. Limited to the following hours of operation: a. 0800 — 2200 hours, seven days a week.
<b>Restaurants</b>	5. Maximum gross floor area for serving customers per site is 100m <sup>2</sup> (excluding

	<p>uncovered outdoor areas).</p> <p>6. Maximum number of customers to be accommodated at any one time is 40 persons.</p> <p>7. Limited to the following hours of operation:</p> <p>a. 0800 — 2200 hours, seven days a week.</p>
<b>Cumulative Limits</b>	<p>8. Maximum combined gross floor area per site, for any of the above activities, is 100m<sup>2</sup>.</p> <p>9. Maximum combined outdoor display area per site, for any of the above activities, is 100m<sup>2</sup>.</p> <p><i>Note: Cumulative limits are calculated per site, not per activity.</i></p>
<b>GRUZ-S2 Height of Buildings</b>	
<b>All (except frost fans)</b>	1. Maximum height of any building(s) is 10m.
<b>Frost Fans</b>	2. Maximum height, measured to the tip of the blade at its highest point, is 15m.
	<i>Note: in all instances, height is measured from the natural ground level.</i>
<b>GRUZ-S3 Height in Relation to Boundary</b>	
<b>All</b>	<p>1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following:</p> <p>a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;</p> <p>b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;</p> <p>c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof.</p> <p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.</p> <p><i>Note: This does not apply to artificial crop protection structures.</i></p>
<b>GRUZ-S4 Setback from Roads and Rail Network</b>	
<b>Residential Activities (including accessory buildings)</b>	<p>1. Minimum setback of any building(s) from road boundaries is 5m.</p> <p>2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p>
<b>Seasonal Workers Accommodation</b>	3. Minimum distance of any building(s) from road boundaries is 15m.
<b>Accessory Buildings and Structures (Primary Production)</b>	<p>4. Minimum setback of any building(s) from road boundaries is 5m.</p> <p>5. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Inter-regional Connectors, Rural Connectors, and Peri-urban Roads is 20m.</p> <p>6. Minimum setback of any building(s) from the Rail Network Boundary is 3m.</p>
<b>All Other Buildings (including Post-Harvest Facilities)</b>	<p>7. Minimum setback of any building(s) from road boundaries is 20m, except that:</p> <p>a. buildings less than 10m<sup>2</sup> in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road</p>

	<p>boundaries.</p> <p>8. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there is also a requirement for setbacks from the bed of a river, lake or artificial watercourse which is within a land drainage or flood control scheme area.</i></p>
<b>GRUZ-S5 Setback from Neighbours</b>	
<b>Residential Activities adjacent to an existing plantation forest on an adjoining site</b>	1. Minimum setback of buildings from an existing plantation forest on an adjoining site is 40m.
<b>All Other Activities (excluding Accessory Buildings) and Accessory Buildings and Structures (Primary Production)</b>	2. Minimum setback of buildings for an activity from internal boundaries is 15m. Farm and domestic water storage tanks up to 2m in height are exempt from this standard.
<b>Accessory Buildings</b>  <b>Accessory Buildings and Structures (Primary Production)</b>	3. Minimum setback of buildings for an activity from internal boundaries is 5m. Farm and domestic water storage tanks up to 2m in height are exempt from this standard.
<b>Artificial Crop Protection Structures</b>	4. Minimum setback from internal boundaries of 5m. 5. Minimum setback from the nearest part of a residential dwelling on a separate site is 15m
<b>Sites created before 28 May 2021 and less than 4000m<sup>2</sup> net site area</b>  <b>Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted</b>	6. Minimum setback of buildings for a residential activity from internal boundaries is 5m. 7. Minimum setback of buildings for all other activities from internal boundaries is 10m.
<b>GRUZ-S6 Shading of Land and Roads</b>	

<b>Trees on boundaries</b>	1. Trees forming a continuous line for a distance of more than 20 metres on an internal boundary of a property under separate ownership: <ol style="list-style-type: none"> <li>a. must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary</li> </ol>
<b>Trees adjoining public roads</b>	2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.
<i>Note: this standard does not apply to plantation forestry, which is subject to permitted activity setback conditions for afforestation specified in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i>	
<b>GRUZ-S7 Electricity Safety Distances</b>	
<b>All</b>	1. Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001).
<b>GRUZ-S8 Transport (Access, Parking, Loading)</b>	
<b>All</b>	1. Activities must comply with the provisions of the TRAN — Transport chapter.
<b>GRUZ-S9 Light</b>	
<b>All</b>	1. Activities must comply with the provisions of the LIGHT — Light chapter.
<b>GRUZ-S10 Noise</b>	
<b>All</b>	1. Activities must comply with the provisions of the NOISE — Noise chapter. <i>Note: There are exemptions and/or specific standards provided in NOISE-S5 for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.</i>
<b>GRUZ-S11 Setback from Existing Intensive Primary Production Activities</b>	
<b>Sensitive Activities</b>	1. Minimum setback of buildings from any buildings or enclosure housing animals reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.
<b>GRUZ-S12 Setback from Gas Transmission Network</b>	
<b>Residential Activities</b>	1. Gas Transmission Pipeline: <ol style="list-style-type: none"> <li>a. minimum setback of buildings from a gas transmission pipeline forming part of the Gas Transmission Network is 20m.</li> </ol> 2. Incidental Equipment: <ol style="list-style-type: none"> <li>a. minimum setback of buildings from above ground incidental equipment forming part of the Gas Transmission Network is 30m.</li> </ol>
<b>GRUZ-S13 Setback from National Grid Yard</b>	
<b>All Buildings and Structures</b>	1. Under the National Grid conductors (wires): <ol style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must:           <ol style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> </ol> </li> </ol>



- iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).
- b. all buildings or structures permitted by a. must comply with the following conditions:
  - i. demonstrate that safe electrical clearance distances required by *NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances* are maintained under all National Grid line operating conditions.
  - ii. not permanently physically impede existing vehicular access to a National Grid support structure.
- 2. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from the outer visible edge of a tower, or 10m from a single pole, forming part of a National Grid support structure, except where the building or structure is:
  - a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or
  - b. an artificial crop protection structure or crop support structure between 8m and 12m from a pole support structure and any associated stay wire, that:
    - i. meets the requirements of the *NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances* for separation distances from the conductor;
    - ii. is no more than 2.5m high;
    - iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and
    - iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or
  - c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of *NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances* to be located within 12m of a tower or 8m of a pole support structure.

#### GRUZ-S14 Relocated Buildings

All

1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation.
2. The relocated building must comply with all other relevant performance standards for the zone.
3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must:
  - a. state whether the building is structurally sound;
  - b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity;
  - c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site;
  - d. provide clear photographs of the building in its current state; and
  - e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work.
4. The Building Pre-Inspection Report must be prepared by:
  - a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or
  - b. A member of the New Zealand Institute of Building Surveyors; or
  - c. An independent person, persons or company as approved by Central Hawke's

- Bay District Council Building Control Authority; or
- d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District; or
  - e. A Licensed Building Practitioner.
5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
  6. The building must be placed on permanent foundations no later than four weeks from the date the building is moved to the site.
  7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.
  8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.

*Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.*

## Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

### **GRUZ-AM1      Building Coverage, Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours**

1. The degree to which the proposed buildings:
  - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
  - b. will adversely affect the life-supporting capacity of the rural soil resource, and any potential for reverse sensitivity effects to arise;
  - c. will overshadow adjoining sites and result in reduced sunlight and daylight;
  - d. will cause a loss of privacy through being over-looked from neighbouring buildings;
  - e. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
  - f. will diminish the openness and attractiveness of the street scene;
  - g. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
  - h. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
  - a. provide adequate opportunity for garden and tree planting around buildings;
  - b. provide adequate vehicle parking and manoeuvring space on site;
  - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
  - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
  - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:

- a. any potential contamination of groundwater;
  - b. any potential slope instability problems;
  - c. any potential odour, noise and vibration nuisance to neighbours; and
  - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
  5. The degree to which alternative practical locations are available for the building.

**GRUZ-AM2      Shading of Land and Roads**

1. Trees on Boundaries
  - a. The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
  - b. The degree to which trees may potentially damage structures due to wind fall or root growth.
2. Trees adjoining Public Roads
  - a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
  - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

**GRUZ-AM3      Setback for Sensitive Activities from Existing Intensive Primary Production Activities**

1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects may have on the continuing effective and efficient operation of the intensive primary production activity.
2. The extent to which alternative locations have been considered.

**GRUZ-AM4      Setback for New Residential Activities from Gas Transmission Network**

1. Any effects on the safe, effective, and efficient operation, maintenance, and upgrade of the Gas Transmission Network.
2. Any effects on the ability for vehicles to access the Gas Transmission Network.
3. Risks relating to health or public safety and the risk of property damage.
4. Reverse sensitivity effects.
5. Technical advice provided by First Gas Ltd.

**GRUZ-AM5      Residential Activities**

1. Whether the additional residential activity will have an adverse effect on the sustainable management of the soil resource.
2. The impact of the residential activity on the character and amenity of adjoining activities and the surrounding rural environment and any potential for reverse sensitivity effects to arise.
3. Any cumulative effect of the residential activity.
4. The potential for the residential activity to have an adverse effect on road safety.
5. Whether the proposal will continue to allow for efficient use of the remaining undeveloped land for primary production activities.
6. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design, and appearance of buildings.

**GRUZ-AM6      Post-Harvest Facilities exceeding the 2,500m<sup>2</sup> Gross Floor Area Threshold per site**

1. Whether the activity is of such a scale that it is better to be located or, in the case of an existing operation, relocated in a General Industrial Zone where infrastructure and employment are more readily available and the receiving environment is less sensitive.

2. The effects of the proposal on the soil resource.
3. Whether the Post-Harvest Facility will utilise any existing building(s).
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
5. The potential for the activity to generate adverse effects in the environment in terms of stormwater quality and quantity.
6. Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within the General Rural and/or Rural Production Zones.
7. Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising that it is a rural working environment.
8. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, and road safety.

#### **GRUZ-AM7 Commercial Activities, Visitor Accommodation, Home Businesses**

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities.
3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have an adverse effect on the sustainable management of the soil resource and any potential for reverse sensitivity effects to arise.
5. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design, and appearance of buildings.

#### **GRUZ-AM8 Community Facilities and Educational Facilities**

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
  - a. the life-supporting capacity of the rural soil resource and any potential for reverse sensitivity effects to arise;
  - b. loss of privacy to neighbours through being over-looked, including by buildings;
  - c. loss of openness and attractiveness of the street scene;
  - d. noise, vibration, and glare; and
  - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the rural environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
  - a. the number of patrons and/or staff on the site at any one time;
  - b. the hours of operation to maintain the amenity of the area;
  - c. the proximity of the activity to adjacent activities;
  - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
  - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.
6. The functional or operational need to locate in the General Rural Zone.

#### **GRUZ-AM9 Intensive Primary Production Activities (located more than 500 metres from a General Residential, Large Lot Residential, Rural Lifestyle, Settlement, or Town Centre Zone)**

**boundary)**

1. The traffic generated by the proposal.
2. Any noxious, offensive, or objectionable odour arising from the activity beyond the site boundary or any storage of materials associated with the operation of the activity.
3. The effects arising from the stormwater/wastewater management of the activity.
4. The hours of the operation of the activity and the potential for noise effects to arise.
5. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

**GRUZ-AM10 Commercial Boarding and/or Breeding of Cats, Dogs or Other Domestic Pets**

1. The degree to which the boarding premises will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
2. The degree to which the proposed boarding premises are likely to lead to any adverse odour, noise, health, or amenity effects beyond the boundary of the site, and in particular, the building design and management systems proposed to mitigate noise or odour nuisance.
3. The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.

**GRUZ-AM11 Camping Grounds**

1. The size of the camping ground, number of camp sites/accommodation units, carparks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity and, where located within the identified coastal environment area, the natural character of the coastal environment.
2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape, in particular the character of the coastal environment.
3. Whether the location of the camping ground will give rise to reverse sensitivity effects, particularly in terms of primary production and associated activities.
4. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
6. Whether the activity is or will be located in an identified natural hazard area, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
7. The proximity of the camping ground to the coastal margin and the susceptibility of the site to coastal erosion and coastal inundation both in the short and long-term, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
8. Whether the activity will make a positive contribution to the social and economic well-being of the local community.
9. The proximity to any wahi tapu, wahi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.
10. Effects on areas of high natural character identified in CE-SCHED7, or on any outstanding natural landscape or feature, or significant amenity feature identified in NFL-SCHED6.

**GRUZ-AM12 Expansion or Intensification of Existing Noise Sensitive Activities within the Outer Control Boundary**

1. Conditions on building design to incorporate appropriate sound insulation, including provision of suitable ventilation system(s).

**GRUZ-AM13 General**

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example,

where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).

2. Effects on the visual amenity values of the surrounding area, recognising the rural character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.
8. Where located within the coastal environment area, the degree to which the activity is located appropriately, and the degree to which the scale, design and appearance of any built form or land modification is compatible with the character and amenity of the coastal environment, having regard to the effects of the activity and:
  - a. integration with natural processes, landform and topography (including the use of naturally occurring building platforms);
  - b. the particular natural character, cultural, landscape, ecological, historical or recreational values of the area;
  - c. the extent to which the values of the area are sensitive or vulnerable to change;
  - d. the extent to which the values of the adjacent areas (including coastal marine area) are sensitive or vulnerable to the long-term effects of the activity, particularly from plantation forestry;
  - e. opportunities to restore, rehabilitate or enhance natural character, indigenous vegetation and habitats, cultural values, landscape features, dunes and other natural coastal features or processes;
  - f. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it; and
  - g. opportunities for public access and recreation.
9. Where located within an area of high natural character, outstanding natural landscape or feature, or significant amenity feature, refer to the assessment matters in CE-AM1 and CE-AM2, NFL-AM1 and NFL-AM2.

#### **GRUZ-AM14 Electricity Safety Distances**

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

#### **GRUZ-AM15 Water supply for firefighting**

1. The extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

#### **GRUZ-AM16 Rural Airstrips and Helicopter Landing Areas (located within 2km of a Residential, Large Lot Residential (Coastal), Settlement or Rural Lifestyle Zone boundary, within 500m of existing noise sensitive activities on a different site, or within 50m of a State Highway)**

1. The number, frequency, and hours of flight operations.



2. The position of the flight path for take-offs and landings.
3. The extent to which the rural airstrip and/or helicopter landing area, and flight operations, will have adverse effects on amenity (such as noise, light, traffic, and dust effects) on the surrounding area.
4. The necessity to locate on the site, and the availability and feasibility of other alternatives.

## Methods

Methods, other than the above rules, for implementing the policies:

### GRUZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the General Rural Zone:

1. NU — Network Utilities — includes rules and standards relating to network utility operations.
2. TRAN — Transport — includes rules and standards relating to access, parking, and loading.
3. HAZS — Hazardous Substances — includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH — Natural Hazards — includes rules applying in areas specifically identified as subject to natural hazards.
5. HH — Historic Heritage — includes rules applying specifically to identified heritage buildings.
6. TREE — Notable Trees — includes rules applying specifically to identified notable trees.
7. SASM — Sites and Areas of Significance to Māori — includes rules applying specifically to identified sites of significance.
8. ECO — Ecosystems and Indigenous Biodiversity — includes rules applying specifically to significant indigenous vegetation and significant habitats of indigenous fauna.
9. NFL — Natural Features and Landscapes — includes rules applying specifically to identified outstanding natural features and landscapes.
10. SUB — Subdivision — includes rules and standards applying to subdivision, which will limit fragmentation of the rural land resource.
11. ASW — Activities on the Surface of Water — includes rules applying to certain activities on the surface of identified waterbodies.
12. CE — Coastal Environment — includes provisions applying specifically to the coastal environment area.
13. EW — Earthworks — includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
14. LIGHT — Light — includes rules and standards relating to light and glare.
15. NOISE — Noise — includes rules and standards relating to the emission of noise.
16. PKH — Papakainga and Kaumatua Housing, and associated Marae-based Development — includes rules and standards relating to papakainga and kaumatua housing and marae-based developments on Māori land.
17. SIGN — Signs — includes rules and standards relating to the design and installation of signs.
18. TEMP — Temporary Activities — includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

### GRUZ-M2 Bylaws

The Central Hawke's Bay District Council Bylaws — Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

### GRUZ-M3 Industry Codes of Practice and Management Plans

Promote the use of management plans and industry codes of practice as a means of self-regulation.

### GRUZ-M4 National Standards

1. The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.



2. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
3. The New Zealand Standards NZS 6805:1992 Airport Noise Management and Land Use Planning, and NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

## Principal Reasons

The principal reasons for adopting the policies and methods:

The General Rural Zone contains much of the District's rural land resource and exhibits land use that is predominantly in primary production. As such, this zone provides extensively for land-based primary production activities (including post-harvest facilities and intensive primary production) and for a level of associated residential, rural commercial and rural service activities where these actively support the primary productive purpose of these zones and the people who live and work in the various rural communities.

Some activities, however, such as larger-scale commercial and industrial activities, are not provided for in this zone, as they are generally not considered compatible with the zone's character and amenity values and have greater servicing needs, trade waste, traffic effects and the like. These activities are better located in other zones, particularly the Commercial and General Industrial Zones which are specifically for this purpose and more likely to be serviced accordingly.

At the interface between rural zones and other zones, and between intensive primary production activities and those activities which are more sensitive to noise, odour, dust and other nuisance effects, there is potential for conflicts to occur between different activities and different expectations about amenity. The District Plan, therefore, requires setbacks from roads, property boundaries, zone boundaries, and from intensive primary production activities, to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

The District Plan also provides for larger subdivision lot sizes in the rural zones, and limits on the provision for residential and rural lifestyle subdivision, to avoid further fragmentation of the District's finite soil resource. Residential and rural lifestyle lots that are unrelated to primary production activities are better located in the General Residential Zone, Large Lot Residential Zone (Coastal), Settlement Zone, and Rural Lifestyle Zone, where amenity and servicing expectations are more likely to be met.

## Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- |                  |  |
|------------------|--|
| <b>GRUZ-AER1</b> | <b>The life-supporting capacity of the rural land resource is maintained.</b>  |
| <b>GRUZ-AER2</b> | <b>The scale and form of development utilises and protects the rural land resource and maintains the range of potentially productive purposes.</b>                               |
| <b>GRUZ-AER3</b> | <b>Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community.</b> |
| <b>GRUZ-AER4</b> | <b>Recognition and acceptance of the effects associated with the management of primary production.</b>   |
| <b>GRUZ-AER5</b> | <b>Land use and development of new activities is based on a legitimate need for a rural</b>  |

location.

- GRUZ-AER6** An environment that has low scale commercial and industrial activities linked to produce grown and/or stock farmed on the site or nearby.
- GRUZ-AER7** Commercial and industrial activities not directly related to primary production, or of a scale that is out of character with the rural environment, are directed to appropriate urban zones.
- GRUZ-AER8** The lawful operation of existing rural-based activities are not constrained by the introduction of new residential or rural residential land uses in the locality.
- GRUZ-AER9** Recognition of long-established infrastructure and community facilities.
- GRUZ-AER10** Rural activities appropriately manage their potential to create reverse sensitivity issues associated with odour, noise, dust and traffic affecting development in close proximity to them.
- GRUZ-AER11** Avoidance or mitigation of adverse effects on adjoining activities, including reverse sensitivity effects.
- GRUZ-AER12** Retention of the open character and low scale of buildings that comprise the amenity of the General Rural Zone.

## RPROZ – Rural Production Zone

### Introduction

The Rural Production Zone represents the identified concentration of highly productive land centred in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and Otane.

The Zone encompasses the contiguous, flat to undulating terrain within the District that collectively supports regionally (and nationally) significant primary production and associated secondary services, based on:

- an exceptionally high proportion of Class 1-3 soils (comprising almost 25% of the District),
- Class 7 soils that are recognised as having very high value for viticultural production (which comprise almost 2% of the District),
- its proximity to a cluster of national and international processing industries and associated qualified labour force within the Hawke Bay Region, and
- its proximity to the Port of Napier and other regionally strategic transport networks providing efficient transport of produce.

The predominant land uses within this part of the rural area of the District are primary production (including intensive primary production), cropping, livestock farming, and horticulture (including viticulture).

The rural landscape within the Rural Production Zone also supports a range of recreational activities, and areas of indigenous vegetation and habitat of indigenous fauna, particularly along the riparian margins of the incised river and streams that pass through the zone.

The Zone is generally sparsely settled and is characterised by a predominance of open space. There are a small number of small scale commercial or industrial activities and a small number of larger established rural industries, largely servicing the primary production sector and rural communities within the zone.

### Issues

*refer Issues RLR-I1, and GRUZ-I1 and GRUZ-I2.*

### Objectives

- RPROZ-O1      The Rural Production Zone is predominantly used for primary production activities (including intensive primary production) and associated ancillary activities.**
- RPROZ-O2      The rural land resource is protected from fragmentation, and from being compromised by inappropriate building and development, including from ad hoc urban expansion.**
- RPROZ-O3      Activities do not reduce the potential for the highly productive land of the District to be used in a productive and sustainable manner.**
- RPROZ-O4      The predominant character of the Rural Production Zone is maintained, which includes:**
- 1. overall low-density built form, with open space and few structures;**
  - 2. a predominance of primary production activities and associated buildings such as**

barns and sheds, post-harvest facilities, seasonal workers accommodation, and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;

3. the sounds, smells, and traffic associated with primary production activities, and established rural industries, anticipated from a working rural environment;
4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;
5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one;
6. an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).

**RPROZ-O5** Activities are managed to ensure that rural character and amenity are maintained.

**RPROZ-O6** The primary productive purpose and predominant character of the Rural Production Zone are not compromised by potentially incompatible activities establishing.

**RPROZ-O7** The Waipukurau Aerodrome is protected from noise sensitive activities establishing within the air noise boundary.

## Policies

**RPROZ-P1** To enable primary production (including intensive primary production) and ancillary activities, recognising the primary productive purpose and predominant character and amenity of the Rural Production Zone.

**RPROZ-P2** To provide for non-primary production activities that have a functional or operational need for a rural location, and/or that support the function and wellbeing of rural communities and/or the enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, and where they are managed to ensure that:

1. their scale, intensity and built form are in keeping with the rural character of the Rural Production Zone;
2. they maintain a level of amenity in keeping with the rural character of the Rural Production Zone;
3. they minimise reverse sensitivity effects on activities otherwise anticipated within the Rural Production Zone; and
4. adverse effects are avoided, remedied or mitigated

**RPROZ-P3** To manage the scale of post-harvest facilities rural industry and commercial activities to ensure that they remain compatible with the primary productive purpose of the Rural Production Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.

**RPROZ-P4** To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area, while recognising that it is a rural working environment.

**RPROZ-P5** To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.

- RPROZ-P6** To manage location of trees so that adjoining public roads and properties are not adversely affected by shading.
- RPROZ-P7** To ensure activities do not locate in the Rural Productive Zone where the activity:
1. has no functional or operational need for a rural location;
  2. is inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone;
  3. constrains the establishment and use of land for primary production;
  4. exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto the highly productive land of the District; and/or
  5. results in reverse sensitivity and/or leads to land use conflict.
- RPROZ-P8** To avoid residential and rural lifestyle subdivision that results in fragmentation of land within the Rural Production Zone and/or that limits the use of land for primary-productive purposes (including through the potential creation or exacerbation of reverse sensitivity effects).
- RPROZ-P9** To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the Rural Production Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.
- RPROZ-P10** To avoid the establishment or intensification of noise sensitive activities within the airnoise boundary of the Waipukurau Aerodrome, and to require appropriate sound insulation of noise sensitive activities between the airnoise boundary and outer control boundary.
- RPROZ-P11** To ensure activities within the Rural Production Zone are self-sufficient in the provision of a suitable on-site wastewater treatment and disposal system, stormwater disposal system, and water supply, unless an appropriate alternative system is available to connect to.

### Rule Overview Table

Use/activity	Rule Number
Residential activities	RPROZ-R1
Seasonal workers accommodation	RPROZ-R2
Primary production activities	RPROZ-R3
Artificial Crop Protection Structures	RPROZ-R21
Agricultural aviation movements ancillary to primary production activities	RPROZ-R4
Rural airstrips and/or helicopter landing areas	RPROZ-R5
Post-harvest facilities	RPROZ-R6
Home businesses	RPROZ-R7
Visitor accommodation	RPROZ-R8

Commercial activities not otherwise provided for	RPROZ-R9
Community facilities	RPROZ-R10
Educational facilities	RPROZ-R11
Emergency service activities and emergency aviation movements	RPROZ-R12
Relocated buildings	RPROZ-R13
Intensive primary production activities	RPROZ-R14
Camping grounds	RPROZ-R16
Rural industry (other than post-harvest facilities)	RPROZ-R22
Airport / aerodrome (other than rural airstrip), and helicopter depot	RPROZ-R23
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	RPROZ-R15
Relocatable building depots	RPROZ-R17
Any other activity not otherwise provided for	RPROZ-R18
Industrial activities (other than post-harvest facilities and rural industry)	RPROZ-R19
Noise sensitive activities within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome	RPROZ-R20

## Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the Rural Production Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

RPROZ-R1 Residential activities	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ol style="list-style-type: none"> <li>i. one residential unit per site with an area less than 12 hectares, and</li> <li>ii. one additional residential unit (i.e. a total of two) per site within an area of 12 hectares or greater, and</li> <li>iii. one minor residential unit per site:               <ol style="list-style-type: none"> <li>a. limited to a maximum gross floor area of</li> </ol> </li> </ol>	<p><b>2. Activity status where compliance with condition RPROZ-R1(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ol style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> </ol>

<p>100m<sup>2</sup> (exclusive of garages, and verandahs less than 20m<sup>2</sup>); and</p> <p>b. must share vehicle access with the principal residential unit on the site; and</p> <p>c. must be located no further than 25m from a principal residential unit on the site.</p> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production).</li> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> <li>iii. RPROZ-S14 (setback from gas transmission network).</li> </ul> <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p> <p><i>Note 1: an existing principal residential unit may become the minor residential unit provided that all standards and terms are met.</i></p> <p><i>Note 2: Under the Hawke’s Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	<ul style="list-style-type: none"> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15.</li> <li>vi. RPROZ-AM16.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> <p><b>3. Activity status where compliance with conditions RPROZ-R1(1)(a) and/or RPROZ-R1(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition RPROZ-R1(1)(d) is not achieved: NC</b></p>
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**RPROZ-R2 Seasonal workers accommodation**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ul style="list-style-type: none"> <li>i. A maximum gross floor area of 125m<sup>2</sup>.</li> <li>ii. All new buildings are relocatable in design or able to be reconfigured to buildings accessory to land-based primary production.</li> <li>iii. The site is not a ‘lifestyle site’ (a site created through the lifestyle site subdivision provisions of the District Plan).</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R2(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15.</li> <li>vi. RPROZ-AM16.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul>
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<p>viii. RPROZ-S9;                  ix. RPROZ-S10; and                  x. RPROZ-S11.</p> <p>c. Compliance with:                  i. RPROZ-S12 (setback from existing intensive primary production);                  ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and                  iii. RPROZ-S14 (setback from gas transmission network).</p> <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	<p><b>3. Activity status where compliance with condition RPROZ-R2(1)(a) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <p>a. Whether the proposed building location will allow for efficient use of the remaining undeveloped land for primary production activities.</p> <p>b. Whether the scale and design of the proposed building complements the character of the area.</p> <p>c. Whether the siting of the activity will impact on the amenity of adjoining properties, or any dwelling established in an adjoining zone within 100m of the activity.</p> <p>d. Whether soil values have been taken into account in selecting the site for the building.</p> <p>e. Whether traffic generation associated with the number of occupants will adversely impact on the road network.</p>
	<p><b>4. Activity status where compliance with condition RPROZ-R2(1)(c) is not achieved: DIS</b></p>
	<p><b>5. Activity status where compliance with condition RPROZ-R2(1)(d) is not achieved: NC</b></p>

**RPROZ-R3 Primary production activities (including accessory buildings and structures (primary production), but excluding post-harvest facilities, mining and quarrying)**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Compliance with:                  i. RPROZ-S2;                  ii. RPROZ-S3;                  iii. RPROZ-S4;                  iv. RPROZ-S5;                  v. RPROZ-S6;                  vi. RPROZ-S7;                  vii. RPROZ-S8;                  viii. RPROZ-S9;                  ix. RPROZ-S10; and                  x. RPROZ-S11.</p> <p>b. Compliance with:                  i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</p> <p>c. Compliance with RPROZ-S15 (setbacks from National Grid).</p> <p><i>Note: The provisions of the Rural Production Zone in the District Plan do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource</i></p>	<p><b>2. Activity status where compliance with condition RPROZ-R3(1)(a) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:                  i. RPROZ-AM1.                  ii. RPROZ-AM2.                  iii. RPROZ-AM4.                  iv. RPROZ-AM15.                  v. RPROZ-AM16.</p> <p>b. Assessment matters in the following chapters:                  i. TRAN — Transport.                  ii. LIGHT — Light.                  iii. NOISE — Noise.</p>
	<p><b>3. Activity status where compliance with condition RPROZ-R3(1)(b) is not achieved: DIS</b></p>

<p><i>Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which addresses such things as setbacks, earthworks management, land preparation, harvesting and replanting.</i></p>	<p><b>4. Activity status where compliance with condition RPROZ-R3(1)(c) is not achieved: NC</b></p>
<p><b>RPROZ-R21 Artificial Crop Protection Structures</b></p>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p> <ul style="list-style-type: none"> <li>i. Use of green or black cloth on vertical faces within 30m of the site boundary;</li> <li>ii. Use of green, black, or white cloth on horizontal surfaces.</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S3 Height of buildings;</li> <li>ii. RPROZ-S6(4) and RPROZ-S6(5) Setback from neighbours;</li> <li>iii. RPROZ-S8 Electrical safety distances; and</li> <li>iv. RPROZ-S15 Setbacks from National Grid.</li> </ul>	<p><b>2. Activity status where compliance with conditions RPROZ-R21(1)(a) and/or RPROZ-R21(1)(b) and/or RPROZ-R21(1)(c)(i) and/or RPROZ-R21(1)(c)(ii) and/or RPROZ-R21(1)(c)(iii) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The effects of not meeting the conditions in respect to cloth colour and building height.</li> <li>b. The effects of not meeting setbacks from the National Grid.</li> <li>c. Assessment Matter RPROZ-AM15 in relation to not meeting electricity safety distances</li> </ul> <p><b>3. Activity status where compliance with RPROZ-R21(1)(c)(iv) is not achieved: NC</b></p>
<p><b>RPROZ-R4 Agricultural aviation activities</b></p>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met: N/A</b></p> <p><i>Note: NOISE-S5(11) &amp; (12) apply to noise associated with agricultural aviation activities.</i></p>	<p><b>2. Activity status where compliance not achieved: N/A</b></p>
<p><b>RPROZ-R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas</b></p>	
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. The rural airstrip or helicopter landing area is located a minimum distance of:</p> <ul style="list-style-type: none"> <li>i. 2km from any General Residential, Settlement, or Rural Lifestyle Zone boundary, and</li> <li>ii. 500m from the notional boundary of any building associated with an existing or consented noise sensitive activity not located on the same site, and</li> <li>iii. 50m from a State Highway.</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R5(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM4.</li> <li>iv. RPROZ-AM17.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions RPROZ-R5(1)(a), and/or RPROZ-R5(1)(c) is not achieved: DIS</b></p>

<ul style="list-style-type: none"> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> </ul> </li> <li>d. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul>	<p><b>4. Activity status where compliance with condition RPROZ-R5(1)(d) is not achieved: NC</b></p>
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**RPROZ-R6 Post-harvest facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to 2500m<sup>2</sup> gross floor area per site.</li> <li>b. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> </li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> </ul> </li> <li>d. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R6(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM4.</li> <li>iv. RPROZ-AM15</li> <li>v. RPROZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
	<p><b>3. Activity status where compliance with conditions RPROZ-R6(1)(a) and/or RPROZ-R6(1)(c) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition RPROZ-R6(1)(d) is not achieved: NC</b></p>

**RPROZ-R7 Home businesses**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Compliance with RPROZ-S1 (the relevant activity thresholds).</li> <li>b. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> </li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production);</li> </ul> </li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R7(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15</li> <li>vi. RPROZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
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<ul style="list-style-type: none"> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</li> <li>iii. RPROZ-S14 (setback from gas transmission network).</li> </ul>	<p><b>3. Activity status where compliance with conditions RPROZ-R7(1)(a) and/or RPROZ-R7(1)(c) is not achieved: DIS</b></p>
<ul style="list-style-type: none"> <li>d. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul>	<p><b>4. Activity status where compliance with condition RPROZ-R7(1)(d) is not achieved: NC</b></p>

**RPROZ-R8 Visitor accommodation**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to:             <ul style="list-style-type: none"> <li>i. Length of stay for any one guest must be no greater than 3 months in any 12-month period; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification <i>Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.</i></li> </ul> </li> <li>b. Compliance with RPROZ-S1 (the relevant activity thresholds).</li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> </li> <li>d. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production);</li> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</li> <li>iii. RPROZ-S14 (setback from gas transmission network).</li> </ul> </li> <li>e. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R8(1)(c) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15</li> <li>vi. RPROZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
	<p><b>3. Activity status where compliance with conditions RPROZ-R8(1)(a), RPROZ-R8(1)(b) and/or RPROZ-R8(1)(d) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition RPROZ-R8(1)(e) is not achieved: NC</b></p>

**RPROZ-R9 Commercial activities not otherwise provided for**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Any retail sales are limited to produce reared or produced on the site.</li> <li>b. Compliance with RPROZ-S1 (the relevant activity thresholds).</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R9(1)(c) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p>
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<p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> <p>d. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production); and</li> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> </ul> <p>e. Compliance with RPROZ-S15 (setbacks from National Grid).</p>	<p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15</li> <li>vi. RPROZ-AM16.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul>
	<p><b>3. Activity status where compliance with conditions RPROZ-R9(1)(a) and/or RPROZ-R9(1)(d) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with conditions RPROZ-R9(1)(b) and/or RPROZ-R9(1)(e) is not achieved: NC</b></p>

**RPROZ-R10 Community facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to</p> <ul style="list-style-type: none"> <li>i. 100m<sup>2</sup> gross floor area per site; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production); and</li> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> </ul> <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition RPROZ-R10(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM9.</li> <li>vi. RPROZ-AM15.</li> <li>vii. RPROZ-AM16.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul>
	<p><b>3. Activity status where compliance with conditions RPROZ-R10(1)(a) and/or RPROZ-R10(1)(c) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition RPROZ-R10(1)(d) is not achieved: NC</b></p>

**RPROZ-R11 Educational facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Limited to:</p>	<p><b>2. Activity status where compliance with condition RPROZ-R11(1)(b) is not achieved: RDIS</b></p>
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<ul style="list-style-type: none"> <li>i. 200m<sup>2</sup> gross floor area per site; and</li> <li>ii. land not identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.</li> </ul> <p>b. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> <p>c. Compliance with:</p> <ul style="list-style-type: none"> <li>i. RPROZ-S12 (setback from existing intensive primary production); and</li> <li>ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome).</li> </ul> <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p>	<p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM15.</li> <li>vi. RPROZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions RPROZ-R11(1)(a) and/or RPROZ-R11(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition RPROZ-R11(1)(d) is not achieved: NC</b></p>
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**RPROZ-R12 Emergency service activities and emergency aviation movements**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to 100m<sup>2</sup> gross floor area per site.</li> <li>b. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> </li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</li> <li>ii. RPROZ-S14 (setback from gas transmission network).</li> </ul> </li> <li>d. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition RPROZ-R12(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM4.</li> <li>iv. RPROZ-AM15.</li> <li>v. RPROZ-AM16.</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions RPROZ-R12(1)(a) and/or RPROZ-R12(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition RPROZ-R12(1)(d) is not achieved: NC</b></p>
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**RPROZ-R13 Relocated buildings**

<p><b>1. Activity Status: PER</b></p>	<p><b>2. Activity status where compliance not achieved: RDIS</b></p>
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<p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. The building must be for the purpose of accommodating a permitted or consented activity on the site.</li> <li>b. Compliance with RPROZ-S16.</li> </ul>	<p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.</li> <li>b. The bulk and location of the building in relation to the requirements of the zone.</li> <li>c. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.</li> <li>d. The imposition of a performance bond to ensure compliance with the consent conditions.</li> </ul> <p><i>Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.</i></p>
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**RPROZ-R14 Intensive primary production activities**

<p><b>1. Activity Status: CON</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Minimum setbacks for buildings housing animals reared intensively, enclosures accommodating animals reared intensively, and organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, from:             <ul style="list-style-type: none"> <li>i. any Settlement, Rural Lifestyle, or General Residential Zone boundary is 500m.</li> <li>ii. from a property boundary is 200m.</li> </ul> </li> <li>b. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10; and</li> <li>x. RPROZ-S11.</li> </ul> </li> <li>c. Compliance with:             <ul style="list-style-type: none"> <li>i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</li> </ul> </li> <li>d. Compliance with RPROZ-S15 (setbacks from National Grid).</li> </ul> <p><b>Matters over which control is reserved:</b></p>	<p><b>2. Activity status where compliance with condition RPROZ-R14(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM4.</li> <li>iv. RPROZ-AM15.</li> <li>v. RPROZ-AM16</li> </ul> </li> <li>b. Assessment matters in the following chapters:             <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>
<p><b>3. Activity status where compliance with condition RPROZ-R14(1)(a)(ii) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment Matters:             <ul style="list-style-type: none"> <li>i. RPROZ-AM10.</li> </ul> </li> </ul>	



<ul style="list-style-type: none"> <li>e. Effects on character and amenity of the zone from traffic generated by the proposal and the hours of operation.</li> <li>f. The method of storage and use of materials associated with the operation of the activity that may generate noxious, offensive, or objectionable odour beyond the site boundary.</li> <li>g. Methods of disposal of stormwater and wastewater for the activity.</li> <li>h. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity.</li> </ul>	<p><b>4. Activity status where compliance with condition RPROZ-R14(1)(c) is not achieved: DIS</b></p>
	<p><b>5. Activity status where compliance with conditions RPROZ-R14(1)(a)(i) and/or RPROZ-R14(1)(d) is not achieved: NC</b></p>

### RPROZ-R16 Camping grounds

<p><b>1. Activity Status: RDIS</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Compliance with: <ul style="list-style-type: none"> <li>i. RPROZ-S2;</li> <li>ii. RPROZ-S3;</li> <li>iii. RPROZ-S4;</li> <li>iv. RPROZ-S5;</li> <li>v. RPROZ-S6;</li> <li>vi. RPROZ-S7;</li> <li>vii. RPROZ-S8;</li> <li>viii. RPROZ-S9;</li> <li>ix. RPROZ-S10;</li> <li>x. RPROZ-S11; and</li> <li>xi. RPROZ-S17.</li> </ul> </li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>a. RPROZ-S12 (setback from existing intensive primary production); and</li> <li>b. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</li> <li>c. RPROZ-S14 (setback from gas transmission network).</li> </ul> </li> <li>c. Compliance with RPROZ-S15 (setbacks from National Grid Yard).</li> </ul> <p><b>Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>d. Assessment matters (where relevant to the infringed standard(s): <ul style="list-style-type: none"> <li>i. RPROZ-AM1.</li> <li>ii. RPROZ-AM2.</li> <li>iii. RPROZ-AM3.</li> <li>iv. RPROZ-AM4.</li> <li>v. RPROZ-AM12.</li> <li>vi. RPROZ-AM15.</li> <li>vii. RPROZ-AM16.</li> </ul> </li> <li>e. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN — Transport.</li> <li>ii. LIGHT — Light.</li> <li>iii. NOISE — Noise.</li> </ul> </li> </ul>	<p><b>2. Activity status where compliance with condition RPRZ-R16(1)(a) and/or RPROZ-R16(1)(b) is not achieved: DIS</b></p>
	<p><b>3. Activity status where compliance with condition RPROZ-R16(1)(c) is not achieved: NC</b></p>

### RPROZ-R22 Rural Industry (other than post-harvest facilities)

<p><b>1. Activity Status: DIS</b></p>	<p><b>2. Activity status where compliance with</b></p>
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<p><b>Where the following conditions are met:</b>                  a. Compliance with GRUZ-S15 (setbacks from National Grid).  <b>Subject to (but not limited to) the following assessment matter:</b>                  b. The necessity of a rural location.</p>	<p>condition RPROZ-R22(1)(a) is not achieved:  <b>NC</b></p>
<p><b>RPROZ-R23 Airport / aerodrome (other than rural airstrip), and helicopter depot</b></p>	
<p><b>1. Activity Status: DIS</b>   <b>Where the following conditions are met:</b>                  a. Compliance with GRUZ-S15 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition RPROZ-R23(1)(a) is not achieved:</b>  <b>NC</b></p>
<p><b>RPROZ-R15 Commercial boarding and/or breeding of cats, dogs, and other domestic pets</b></p>	
<p><b>1. Activity Status: DIS</b>   <b>Where the following conditions are met:</b>                  a. Compliance with GRUZ-S15 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition RPROZ-R15(1)(a) is not achieved:</b>  <b>NC</b></p>
<p><b>RPROZ-R17 Relocatable building depots</b></p>	
<p><b>1. Activity Status: DIS</b>   <b>Where the following conditions are met:</b>                  a. Compliance with GRUZ-S15 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition RPROZ-R17(1)(a) is not achieved:</b>  <b>NC</b></p>
<p><b>RPROZ-R18 Any other activity not otherwise provided for</b></p>	
<p><b>1. Activity Status: DIS</b>   <b>Where the following conditions are met:</b>                  a. Compliance with GRUZ-S15 (setbacks from National Grid).</p>	<p><b>2. Activity status where compliance with condition RPROZ-R18(1)(a) is not achieved:</b>  <b>NC</b></p>
<p><b>RPROZ-R19 Industrial activities (other than post-harvest facilities and rural industry)</b></p>	
<p><b>1. Activity Status: NC</b>   <b>Where the following conditions are met: N/A</b></p>	<p><b>2. Activity status where compliance not achieved: N/A</b></p>
<p><b>RPROZ-R20 New noise sensitive activities within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome</b></p>	
<p><b>1. Activity Status: PR</b>   <b>Where the following conditions are met: N/A</b></p>	<p><b>2. Activity status where compliance not achieved: N/A</b></p>

**Standards**

<p><b>RPROZ-S1 Activity Threshold</b></p>	
<p><b>Commercial Activities</b></p>	<p>1. Maximum gross floor area per site is 100m<sup>2</sup>.                  2. Personnel limited to:                  a. At least one person resident on the site must carry out the activity.</p>

<b>Visitor Accommodation</b>	b. A maximum of three additional employees (in addition to those resident on the site).
<b>Home Businesses</b>  (excludes retail sales and restaurants)	<i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 100m<sup>2</sup> maximum floor area, provided the existing residential activity does not cease.</i>
<b>Retail Sales of produce reared or produced on the site</b>	3. Maximum gross floor area per site is 100m <sup>2</sup> . 4. Limited to the following hours of operation: a. 0800 — 2200 hours, seven days a week.
<b>Restaurants</b>	5. Maximum gross floor area for serving customers per site is 100m <sup>2</sup> (excluding uncovered outdoor areas). 6. Maximum number of customers to be accommodated at any one time is 40 persons. 7. Limited to the following hours of operation: a. 0800 — 2200 hours, seven days a week.
<b>Cumulative Limits</b>	8. Maximum combined gross floor area per site, for any of the above activities, is 100m <sup>2</sup> . 9. Maximum combined outdoor display area per site, for any of the above activities, is 100m <sup>2</sup> . <i>Note: Cumulative limits are calculated per site, not per activity.</i>
<b>RPROZ-S2 Total Building Coverage</b>	
<b>All</b>	1. Maximum building coverage (including hardstand and sealed areas) must not exceed 35% of the net site area or 1500m <sup>2</sup> , whichever is the lesser, except: a. for sites containing post-harvest facilities, the maximum building coverage is 35% of the net site area or 2500m <sup>2</sup> , whichever is the lesser. 2. Netting, structures (including artificial crop protection structures), and greenhouses where crops are grown under or within those structures directly in the soil of the site, are excluded from total building coverage calculations.
<b>RPROZ-S3 Height of Buildings</b>	
<b>All (except frost fans)</b>	1. Maximum height of any building(s) is 10m.
<b>Frost Fans</b>	2. Maximum height, measured to the tip of the blade at its highest point, is 15m.
	<i>Note: in all instances, height is measured from the natural ground level.</i>
<b>RPROZ-S4 Height in Relation to Boundary</b>	
<b>All</b>	1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following: a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof.

	<p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.</p> <p><i>Note: This does not apply to artificial crop protection structures.</i></p>
<b>RPROZ-S5 Setback from Roads and Rail Network</b>	
<b>Residential Activities (including accessory buildings)</b>	<p>1. Minimum setback of any building(s) from road boundaries is 5m.</p> <p>2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p>
<b>Seasonal Workers Accommodation</b>	<p>3. Minimum distance of any building(s) from road boundaries is 15m.</p>
<b>Accessory Buildings and Structures (Primary Production)</b>	<p>4. Minimum setback of any building(s) from road boundaries is 5m.</p> <p>5. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Inter-regional Connectors, Rural Connectors, and Peri-urban Roads is 20m.</p> <p>6. Minimum setback of any building(s) from the Rail Network Boundary is 3m.</p>
<b>All Other Buildings (including Post-Harvest Facilities)</b>	<p>7. Minimum setback of any building(s) from road boundaries is 20m, except that:</p> <p style="padding-left: 20px;">a. buildings less than 10m<sup>2</sup> in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries.</p> <p>8. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there is also a requirement for setbacks from the bed of a river, lake or artificial watercourse which is within a land drainage or flood control scheme area.</i></p>
<b>RPROZ-S6 Setback from Neighbours</b>	
<b>Residential Activities adjacent to an existing plantation forest on an adjoining site</b>	<p>1. Minimum setback of buildings from an existing plantation forest on an adjoining site is 40m.</p>
<b>All Other Activities (excluding Accessory Buildings and Accessory Buildings and Structures (Primary Production))</b>	<p>2. Minimum setback of buildings for an activity from side and rear boundaries is 15m. Farm and domestic water storage tanks up to 2m in height are exempt from this standard.</p>
<b>Accessory Buildings</b>  <b>Accessory Buildings and Structures (Primary Production)</b>	<p>3. Minimum setback of buildings for an activity from side and rear boundaries is 5m. Farm and domestic water storage tanks up to 2m in height are exempt from this standard.</p>

<b>Artificial Crop Protection Structures</b>	<ol style="list-style-type: none"> <li>4. Minimum setback from internal boundaries is 5m.</li> <li>5. Minimum setback from the nearest part of a residential dwelling on a separate site is 15m</li> </ol>
<b>Sites created before 28 May 2021 and less than 4000m<sup>2</sup> net site area</b>  <b>Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted</b>	<ol style="list-style-type: none"> <li>6. Minimum setback of buildings for a residential activity from side and rear boundaries is 5m.</li> <li>7. Minimum setback of buildings for all other activities from side and rear boundaries is 10m</li> </ol>
<b>RPROZ-S7 Shading of Land and Roads</b>	
<b>Trees on boundaries</b>	<ol style="list-style-type: none"> <li>1. Trees forming a continuous line for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership: <ol style="list-style-type: none"> <li>a. must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary.</li> </ol> </li> </ol>
<b>Trees adjoining public roads</b>	<ol style="list-style-type: none"> <li>2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.</li> </ol>
<p><i>Note: this standard does not apply to plantation forestry, which is subject to permitted activity setback conditions for afforestation specified in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</i></p>	
<b>RPROZ-S8 Electricity Safety Distances</b>	
<b>All</b>	<ol style="list-style-type: none"> <li>1. Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001).</li> </ol>
<b>RPROZ-S9 Transport (Access, Parking, Loading)</b>	
<b>All</b>	<ol style="list-style-type: none"> <li>1. Activities must comply with the provisions of the TRAN — Transport chapter.</li> </ol>
<b>RPROZ-S10 Light</b>	
<b>All</b>	<ol style="list-style-type: none"> <li>1. Activities must comply with the provisions of the LIGHT — Light chapter.</li> </ol>
<b>RPROZ-S11 Noise</b>	
<b>All</b>	<ol style="list-style-type: none"> <li>1. Activities must comply with the provisions of the NOISE — Noise chapter. <i>Note: There are exemptions and/or specific standards provided in NOISE-S5 for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.</i></li> </ol>
<b>RPROZ-S12 Setback from Existing Intensive Primary Production Activities</b>	
<b>Sensitive Activities</b>	<ol style="list-style-type: none"> <li>1. Minimum setback of buildings from any buildings or enclosure housing animals</li> </ol>

	reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.
<b>RPROZ-S13 Buildings and structures by Waipukurau Aerodrome</b>	
<b>All</b>	<ol style="list-style-type: none"> <li>1. No building or structure in areas specified as 'Waipukurau Aerodrome - No Building' overlay.</li> <li>2. No building or structure exceeding heights specified in 'Waipukurau Aerodrome — Height Restriction of 6m' overlay or 'Waipukurau Aerodrome — Height Restriction of 10m' overlay.</li> <li>3. No building or structure exceeding a height restriction determined by a 1:20 approach and take-off gradient for aircraft using the runways identified for Waipukurau Aerodrome.</li> </ol>
<b>RPROZ-S14 Setback from Gas Transmission Network</b>	
<b>Residential Activities</b>	<ol style="list-style-type: none"> <li>1. Gas Transmission Pipeline: <ol style="list-style-type: none"> <li>a. minimum setback of buildings from a gas transmission pipeline forming part of the Gas Transmission Network is 20m.</li> </ol> </li> <li>2. Incidental Equipment: <ol style="list-style-type: none"> <li>a. minimum setback of buildings from above ground incidental equipment forming part of the Gas Transmission Network is 30m.</li> </ol> </li> </ol>
<b>RPROZ-S15 Setback from National Grid Yard</b>	
<b>All Buildings and Structures</b>	<ol style="list-style-type: none"> <li>1. Under the National Grid conductors (wires): <ol style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must: <ol style="list-style-type: none"> <li>i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</li> <li>ii. be a fence less than 2.5m high; or</li> <li>iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ol> </li> <li>b. all buildings or structures permitted by a. must comply with the following conditions: <ol style="list-style-type: none"> <li>i. demonstrate that safe electrical clearance distances required by <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> are maintained under all National Grid line operating conditions.</li> <li>ii. not permanently physically impede existing vehicular access to a National Grid support structure.</li> </ol> </li> </ol> </li> <li>2. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from the outer visible edge of a tower, or 10m from a single pole, forming part of a National Grid support structure, except where the building or structure is: <ol style="list-style-type: none"> <li>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</li> <li>b. an artificial crop support structure or crop protection structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ol style="list-style-type: none"> <li>i. meets the requirements of the <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> for separation distances from the conductor;</li> <li>ii. is no more than 2.5m high;</li> <li>iii. is removable or temporary, to allow a clear working space 12 metres from</li> </ol> </li> </ol> </li> </ol>

	<p>the pole when necessary for maintenance and emergency repair purposes; and</p> <p>iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 <i>New Zealand Electricity Code of Practice for Electricity Safe Distances</i> to be located within 12m of a tower or 8m of a pole support structure.</p>
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### RPROZ-S16 Relocated Buildings

All

1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation.
2. The relocated building must comply with all other relevant performance standards for the zone.
3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must:
  - a. state whether the building is structurally sound;
  - b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity;
  - c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site;
  - d. provide clear photographs of the building in its current state; and
  - e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work.
4. The Building Pre-Inspection Report must be prepared by:
  - a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or
  - b. A member of the New Zealand Institute of Building Surveyors; or
  - c. An independent person, persons, or company as approved by Central Hawke's Bay District Council Building Control Authority; or
  - d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District; or
  - e. A Licensed Building Practitioner.
5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
6. The building must be placed on permanent foundations no later than four weeks from the date the building is moved to the site.
7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.
8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.

*Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the*



	Council.
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## Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

### **RPROZ-AM1 Building Coverage, Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours**

1. The degree to which the proposed buildings:
  - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
  - b. will adversely affect the life-supporting capacity of the rural soil resource, particularly the highly productive land of Central Hawke's Bay, and any potential for reverse sensitivity effects to arise;
  - c. will overshadow adjoining sites and result in reduced sunlight and daylight;
  - d. will cause a loss of privacy through being over-looked from neighbouring buildings;
  - e. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
  - f. will diminish the openness and attractiveness of the street scene;
  - g. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
  - h. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
  - a. provide adequate opportunity for garden and tree planting around buildings;
  - b. provide adequate vehicle parking and manoeuvring space on site;
  - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
  - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
  - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:
  - a. any potential contamination of groundwater;
  - b. any potential slope instability problems;
  - c. any potential odour, noise and vibration nuisance to neighbours; and
  - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
5. The degree to which alternative practical locations are available for the building.

### **RPROZ-AM2 Shading of Land and Roads**

1. Trees on Boundaries
  - a. The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
  - b. The degree to which trees may potentially damage structures due to wind fall or root growth.
2. Trees adjoining Public Roads
  - a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
  - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

### **RPROZ-AM3 Setback for Sensitive Activities from Existing Intensive Primary Production Activities**

1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects may have on the continuing effective and efficient operation of the intensive primary production activity.
2. The extent to which alternative locations have been considered.

**RPROZ-AM4 Buildings within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome**

1. The degree to which any building may compromise the safety of aircraft arriving or departing from Waipukurau Aerodrome.

**RPROZ-AM5 Setback for New Residential Activities from Gas Transmission Network**

1. Any effects on the safe, effective, and efficient operation, maintenance, and upgrade of the Gas Transmission Network.
2. Any effects on the ability for vehicles to access the Gas Transmission Network.
3. Risks relating to health or public safety and the risk of property damage.
4. Reverse sensitivity effects.
5. Technical advice provided by First Gas Ltd.

**RPROZ-AM6 Residential Activities**

1. Whether the additional residential activity will have an adverse effect on the sustainable management of the soil resource.
2. The impact of the residential activity on the character and amenity of adjoining activities and the surrounding rural environment and any potential for reverse sensitivity effects to arise.
3. Any cumulative effect of the residential activity.
4. The potential for the residential activity to have an adverse effect on road safety.
5. Whether the proposal will continue to allow for efficient use of the remaining undeveloped land for primary production activities.

**RPROZ-AM7 Post-Harvest Facilities exceeding the 2,500m<sup>2</sup> Gross Floor Area Threshold per site**

1. Whether the activity is of such a scale that it is better to be located or, in the case of an existing operation, relocated in a General Industrial Zone where infrastructure and employment are more readily available and the receiving environment is less sensitive.
2. The effects of the proposal on the soil resource.
3. Whether the Post-Harvest Facility will utilise any existing building(s).
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
5. The potential for the activity to generate adverse effects in the environment in terms of stormwater quality and quantity.
6. Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within the Rural Production and/or General Rural Zones.
7. Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising that it is a rural working environment.
8. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, and road safety.

**RPROZ-AM8 Commercial Activities, Visitor Accommodation, Home Businesses**

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding

activities, including proximity to sensitive activities.

3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have an adverse effect on the sustainable management of the soil resource and any potential for reverse sensitivity effects to arise.

#### **RPROZ-AM9 Community Facilities and Educational Facilities**

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
  - a. the life-supporting capacity of the rural soil resource, particularly the highly productive land of Central Hawke's Bay and any potential for reverse sensitivity effects to arise;
  - b. loss of privacy to neighbours through being over-looked, including by buildings;
  - c. loss of openness and attractiveness of the street scene;
  - d. noise, vibration, and glare; and
  - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the rural environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
  - a. the number of patrons and/or staff on the site at any one time;
  - b. the hours of operation to maintain the amenity of the area;
  - c. the proximity of the activity to adjacent activities;
  - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
  - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.
6. The functional or operational need to locate in the Rural Production Zone.

#### **RPROZ-AM10 Intensive Primary Production Activities (located more than 500 metres from a General Residential, Rural Lifestyle, Settlement, or Commercial Zone boundary)**

1. The traffic generated by the proposal.
2. Any noxious, offensive, or objectionable odour arising from the activity beyond the site boundary or any storage of materials associated with the operation of the activity.
3. The effects arising from the stormwater/wastewater management of the activity.
4. The hours of the operation of the activity and the potential for noise effects to arise.
5. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

#### **RPROZ-AM11 Commercial Boarding and/or Breeding of Cats, Dogs or Other Domestic Pets**

1. The degree to which the boarding premises will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
2. The degree to which the proposed boarding premises are likely to lead to any adverse odour, noise, health, or amenity effects beyond the boundary of the site, and in particular, the building design and management systems proposed to mitigate noise or odour nuisance.
3. The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.

#### **RPROZ-AM12 Camping Grounds**

1. The size of the camping ground, number of camp sites/accommodation units, carparks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity.
2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape.
3. Whether the location of the camping ground will give rise to reverse sensitivity effects, particularly in terms of primary production and associated activities.
4. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
6. Whether the activity is or will be located in an identified natural hazard area, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
7. Whether the activity will make a positive contribution to the social and economic well-being of the local community.
8. The proximity to any wahi tapu, wahi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.
9. Effects on any outstanding natural landscape or feature, or significant amenity feature identified in NFL-SCHED6.

**RPROZ-AM13 Expansion or Intensification of Existing Noise Sensitive Activities within the Outer Control Boundary**

1. Conditions on building design to incorporate appropriate sound insulation, including provision of suitable ventilation system(s).

**RPROZ-AM17 Rural Airstrips and Helicopter Landing Areas (located within 2km of a Residential, Large Lot Residential (Coastal), Settlement or Rural Lifestyle Zone boundary, within 500m of existing noise sensitive activities on a different site, or within 50m of a State Highway)**

1. The number, frequency, and hours of flight operations.
2. The position of the flight path for take-offs and landings.
3. The extent to which the rural airstrip and/or helicopter landing area, and flight operations, will have adverse effects on amenity (such as noise, light, traffic, and dust effects) on the surrounding area.
4. The necessity to locate on the site, and the availability and feasibility of other alternatives

**RPROZ-AM14 General**

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.

8. Where located within an outstanding natural landscape or feature, or significant amenity feature, refer to the assessment matters in NFL-AM1 and NFL-AM2.

#### **RPROZ-AM15 Electricity Safety Distances**

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

#### **RPROZ-AM16 Water supply for firefighting**

1. The extent of compliance with *SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

### **Methods**

Methods, other than the above rules, for implementing the policies:

#### **RPROZ-M1 Other Provisions in the District Plan**

Other sections of the District Plan contain additional rules and standards applying to activities in the Rural Production Zone:

1. NU — Network Utilities — includes rules and standards relating to network utility operations.
2. TRAN — Transport — includes rules and standards relating to access, parking, and loading.
3. HAZS — Hazardous Substances — includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH — Natural Hazards — includes rules applying in areas specifically identified as subject to natural hazards.
5. HH — Historic Heritage — includes rules applying specifically to identified heritage buildings.
6. TREE — Notable Trees — includes rules applying specifically to identified notable trees.
7. SASM — Sites and Areas of Significance to Māori — includes rules applying specifically to identified sites of significance.
8. ECO — Ecosystems and Indigenous Biodiversity — includes rules applying specifically to significant indigenous vegetation and significant habitats of indigenous fauna.
9. NFL — Natural Features and Landscapes — includes rules applying specifically to identified outstanding natural features and landscapes.
10. SUB — Subdivision — includes rules and standards applying to subdivision, which will control fragmentation of the District's highly productive land.
11. ASW — Activities on the Surface of Water — includes rules applying to certain activities on the surface of identified waterbodies.
12. EW — Earthworks — includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
13. LIGHT — Light — includes rules and standards relating to light and glare.
14. NOISE — Noise — includes rules and standards relating to the emission of noise.
15. PKH — Papakainga and Kaumatua Housing, and associated Marae-based Development — includes rules and standards relating to papakainga and kaumatua housing and marae-based developments on Māori land.
16. SIGN — Signs — includes rules and standards relating to the design and installation of signs.
17. TEMP — Temporary Activities — includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

**RPROZ-M2 Bylaws**

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

**RPROZ-M3 Industry Codes of Practice and Management Plans**

Promote the use of management plans and industry codes of practice as a means of self-regulation.

**RPROZ-M4 National Standards**

1. The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
2. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
3. The New Zealand Standards NZS 6805:1992 Airport Noise Management and Land Use Planning, and NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

**Principal Reasons**

The principal reasons for adopting the policies and methods:

The Rural Production Zone encompasses the District's concentration of highly productive land and is where the majority of the District's intensive cropping, horticulture and viticulture occurs, as well as traditional livestock farming. The zone provides extensively for land-based primary production activities (including post-harvest facilities and intensive primary production) and for a level of associated residential, rural commercial and rural service activities where these actively support the primary productive purpose of the zone and the people who live and work in the various rural communities.

Some activities, however, such as larger-scale commercial and industrial activities, are not provided for in this zone, as they are generally not considered compatible with the zone's character and amenity values and have greater servicing needs, trade waste, traffic effects and the like. These activities are better located in other zones, particularly the Town Centre and General Industrial Zones which are specifically for this purpose and more likely to be serviced accordingly.

At the interface between rural zones and other zones, and between intensive primary production activities and those activities which are more sensitive to noise, odour, dust and other nuisance effects, there is potential for conflicts to occur between different activities and different expectations about amenity. The District Plan, therefore, requires setbacks from roads, property boundaries, zone boundaries, and from intensive primary production activities, to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

The District Plan also provides for larger subdivision lot sizes in the rural zones, and strictly controls the provision for residential and rural lifestyle subdivision in the Rural Production Zone, to avoid further fragmentation of the District's highly productive land. Residential and rural lifestyle lots that are unrelated to primary production activities are better located in the General Residential Zone, Large Lot Residential Zone (Coastal), Settlement Zone, and Rural Lifestyle Zone, where amenity and servicing expectations are more likely to be met.

In addition, the District Plan controls the establishment or intensification of noise sensitive activities within the air noise and outer control boundaries of the Waipukurau Aerodrome within the Rural Production Zone, to ensure that the ongoing efficient operation of the airport is not unreasonably constrained, whilst similarly protecting noise sensitive activities from the adverse effects of the airport.

## Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- RPROZ-AER1** The life-supporting capacity of the highly productive land of the District is protected.
- RPROZ-AER2** The scale and form of development utilises and protects the rural land resource and maintains the range of potentially productive purposes.
- RPROZ-AER3** Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community.
- RPROZ-AER4** Recognition and acceptance of the effects associated with the management of primary production.
- RPROZ-AER5** The area of land available for primary production purposes is not reduced by ad hoc and unplanned development.
- RPROZ-AER6** Land use and development of new activities is based on a legitimate need for a rural location.
- RPROZ-AER7** An environment that has low scale commercial and industrial activities linked to produce grown and/or stock farmed on the site or nearby.
- RPROZ-AER8** Commercial and industrial activities not directly related to primary production, or of a scale that is out of character with the rural environment, are directed to appropriate urban zones.
- RPROZ-AER9** The lawful operation of existing rural-based activities are not constrained by the introduction of new residential or rural residential land uses in the locality.
- RPROZ-AER10** Recognition of long-established infrastructure and community facilities.
- RPROZ-AER11** Rural activities appropriately manage their potential to create reverse sensitivity issues associated with odour, noise, dust and traffic affecting development in close proximity to them.
- RPROZ-AER12** Avoidance or mitigation of adverse effects on adjoining activities, including reverse sensitivity effects.
- RPROZ-AER13** Retention of the open character and low scale of buildings that comprise the amenity of the Rural Production Zone.
- RPROZ-AER14** Retention of the ongoing operation of the Waipukurau Aerodrome as an important infrastructure asset for Central Hawke's Bay District.



## Appendix D      Persons to be served with a copy of this notice

Submitter	Address for service
Central Hawke's Bay District Council	districtplan@chbdc.govt.nz
Federated Farmers of New Zealand	Rhea Dasent Senior Policy Advisor Federated Farmers of New Zealand Email: rdasent@fedfarm.org.nz
Horticulture New Zealand	Jordyn Landers Environmental Policy Advisor Horticulture New Zealand Email: jordyn.landernz@hortnz.com