

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6A	Ray Taylor	21.1	Oppose	Considers the rule appears to block the installation of above-ground poles and lines along public roadsides where a telecommunications company would like to invest in new infrastructure for under-served areas on the fringes of Napier city. The wording referencing lots of 2 ha in rural zones makes it very difficult to understand specifically in relation to roads. The current operative Network Utilities section of the district plan has been serving the city well.	Seeks that the existing Network Utilities rules be carried forward unchanged. If trying to encourage underground-only construction for appearance reasons, suggests that the underground-only rule could still apply to the specific Estuary, Foreshore Reserve, Reserve and / or River Conservation Zones	Open Submission
NU - Network utilities /NU - Network Utilities /	Rebecca Eng	99.28	Amend	Transpower's preference is for the Network Utilities chapter to be entirely self-contained, so that other chapters in the plan do not apply to the National Grid. However, should this approach not be adopted, Transpower has made submissions on other chapters in the Proposed Plan to indicate what changes would be required, whether they are incorporated into the Network Utilities Chapter or remain in their current location.	Amend the Network Utilities Chapter so that it is self-contained, and reference to, and applicability of, other chapters is not required.	Open Submission
NU - Network utilities /Introduction	Rebecca Eng	99.29	Amend	Transpower supports the text and specifically, the reference to electricity transmission. However additional text is sought to recognise the NPSET. Given that this is a National Policy Statement and the objective of that National Policy Statement, it is appropriate to include recognition of the National Grid in the introductory paragraphs.	Amend the text as follows:  The purpose of the Network Utilities chapter is to manage the operation, development, and maintenance of all network utilities. Network utilities are physical resources that include road and rail networks, cycleway and walkway networks, telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, infrastructure service networks such as reticulated water, sewerage, trade waste and stormwater drainage networks, and ancillary activities including associated buildings, structures, equipment and customer connections.  <u>The importance of the National Grid has been recognised in the development of the National Policy Statement for Electricity Transmission 2008 (NPSET), the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 and the Regional Policy Statement. The NPSET provides that the district plan must recognise the national significance of the electricity transmission network (the National Grid) by facilitating its operation, maintenance, upgrading and development, while managing both the adverse effects of the network, and managing the adverse effects of other activities on the network.</u>	Open Submission
NU - Network utilities /Introduction	Rebecca Eng	99.30	Amend	A minor amendment is sought to articulate that their upgrade and development is also important.	Amend as follows:  Network utilities are an essential part of the district's infrastructure, and their efficient and effective supply, <del>and</del> maintenance, <u>upgrade and development</u> are important for enabling communities to undertake their everyday activities, for the functioning of the district, and for facilitating and maintaining the health, safety, and general wellbeing of its residents. It also aligns with a number of strategic objectives for the District Plan relating specifically to aligning infrastructure planning with land use planning, supporting economic growth, optimising connectivity, public health and safety, and consideration of the long-term risk of natural hazards and climate change.	Open Submission

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NU - Network utilities /Introduction	Rebecca Eng	99.31	Amend	Clarify the relationship between the objectives, policies and rules for network utilities and those of the zones. As the network utilities chapter is located within the "District-wide Matters" section of the Proposed District Plan, this is an appropriate place to clarify that. It is not clear whether objectives and policies in the other chapters (in particular the Overlay chapters) apply. In order to assist with plan interpretation and application, the relationship between the chapters requires clarification and clear explanation. Amendments are suggested to address this.	Amend the text as follows:  To achieve this, the network utility provisions in the District Plan provide for the establishment, operation, and maintenance of network utilities throughout the district while managing their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding and significant landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazards). As many network utilities are lineal and traverse many parts of the district, it is considered appropriate that a single set of <u>objectives, policies and rules</u> , be provided that apply to <u>Network Utilities</u> across the District. <u>As such, the Network Utilities chapter is stand alone as it applies to Network Utility Operators and provisions in other chapters do not apply.</u>	Open Submission
NU - Network utilities /Introduction	Rebecca Eng	99.32	Amend	Supports the text in so far as it relates to the effects on other activities on Network Utilities. However the rules associated with activities affecting the National Grid can be found throughout the District Plan and not just in the Network Utilities chapter, while the objectives and policies that manage these activities are found in the Network Utilities chapter. The text is potentially misleading with respect to the National Grid in that there are other applicable chapters. In order to correctly articulate the location of provisions specific to the National Grid, amended text is sought.	Amend the text as follows:  Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the electricity distribution network, <del>the National Grid</del> , and gas transmission pipelines) are contained, in the relevant chapters for zones and precincts, special overlays, and district-wide chapters such as the Noise chapter. <u>Provisions to manage the effects of land use and earthwork activities on the National Grid are contained in the Network Utilities Chapter, with subdivision near the National Grid managed in the Subdivision Chapter.</u>  A number of network utility operators, including the Napier City Council, also utilise their ability to designate critical sites for a specified network utility purpose. Designations are identified on the Planning Maps and are listed in the 'Designations' section in 'Part 3 - Area-Specific Matters' in the District Plan.	Open Submission
NU - Network Utilities/Introduction	Rebecca Eng	99.33	Support	Transpower supports the text which relates to the NESETA and relationship to district plan rules.	Retain the text	Open Submission
NU - Network utilities /Issues /NU-I1: Essential role of network utilities	Rebecca Eng	99.34	Support	Transpower supports the issue	Retain the issue	Open Submission
NU - Network utilities /Issues /NU-I2: Management of adverse effects of network utilities	Rebecca Eng	99.35	Amend	Transpower supports the issue but seeks amendment to refer to 'operational need'.	Amend the issue as follows:  The effects of network utilities can also have greater impact on residential environments than other areas, and on sites of significance throughout the city, such as significant natural areas, outstanding landscape features, heritage sites, and cultural sites. The siting of network utilities can also potentially worsen risk in areas subject to natural hazards. Sometimes these adverse effects have to be balanced alongside recognising any functional need, <u>operational need</u> or constraints that may limit where a network utility can be sited.	Open Submission
NU - Network utilities /Issues /NU-I3: The impact of activities on network utilities	Rebecca Eng	99.36	Support	Transpower supports the issue, and in particular the recognition that some activities can compromise network utilities.	Retain the issue.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Rebecca Eng	99.37	Support	Transpower supports recognition of the essential role of network utilities.	Retain the objective.	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Rebecca Eng	99.38	Support	The recognition of the functional and operational needs of network utilities is supported. This approach will give effect to the NPSET and the RPS OBJ 33. The reference to 'as far as is practicable' is supported as it reflects that there are operational needs and technical constraints as to how far adverse effects can be avoided, remedied or mitigated.	Retain the objective.	Open Submission

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NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Rebecca Eng	99.39	Support	Transpower supports the objective as it appropriately recognises the potential for activities to compromise network utilities, in accordance with RPS Objective OBJ 32 and Policy 10 of the NPSET.	Retain the objective.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Rebecca Eng	99.40	Support	Transpower supports the recognition of the national, regional and local importance and benefits of network utilities, and requirement to provide for these benefits by enabling the operation, maintenance and minor upgrading, and providing for upgrades and development While the policy is not specific to the National Grid, it does give effect to the NPSET.	Retain the policy.	Open Submission
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Rebecca Eng	99.41	Amend	Amendment is sought to clause a. to recognise the nature of existing network utilities and confine clause a. to upgrade and development. An amendment is also sought to remove reference to 'electricity transmission' as it is covered by the National Grid.	Amend the policy as follows:  NU-P2: Adverse effects of network utilities Require the development, operation, maintenance, repair, upgrading, and removal of infrastructure to avoid, remedy, or mitigate adverse effects, including by: a. <u>in relation to upgrading and development</u> , avoiding, remedying or mitigating adverse effects on: i. natural and physical resources; ii. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance; iii. the safe and efficient operation of other network utilities, including effects on electricity distribution, <del>electricity transmission</del> and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks, and ix. the health, wellbeing, and safety of people and communities, including by minimising risks from exposure to radiofrequency fields, electric and magnetic fields, and from natural hazards. b. requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields, and electric and magnetic fields. c. encouraging the progressive undergrounding of appropriate network utilities where technically feasible and practicable. d. encouraging the co-siting and sharing of facilities and other innovative solutions. e. encouraging the removal of redundant and superseded above ground network utility facilities.	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Rebecca Eng	99.42	Amend	Considers that while the policy is supported, clarity is required around the terms: significant landscapes, high natural character areas, and significant amenity features, as none of the terms are defined in the PDP or identified on the planning maps. Specific to natural features and landscapes, Transpower assumes the policy should refer to 'Outstanding natural features, Special character landscapes, and Special character features'. A 's' is also sought at the end of 'need'.  Clarification is also sought as why clause 1. relates to the effects on the areas. whereas clause 2. relates to managing the effects on the 'values and attributes' of the areas.	Seeks to amend the policy as follows:  NU-P3: Adverse effects of network utilities on protected areas and sites of significance 1. Manage the adverse effects of upgrades to and development of new network utilities on: a. <del>outstanding natural features and significant landscapes, and special character landscapes</del> b. significant natural areas; c. sites of significance to Māori, and d. historic heritage areas, heritage items, and notable trees. while recognising the extent to which adverse effects can be avoided or may be constrained by a network utility's functional or operational needs. 2. Manage the 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: a. <del>high natural character areas, special character features, and</del> b. heritage character areas, <del>and</del> c. <del>significant amenity features.</del>	Open Submission

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NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Rebecca Eng	99.43	Amend	<p>Considers that the policy recognises the adverse effects of subdivision, land use and development on the operation, maintenance, upgrading and development of the National Grid, and is therefore supported. The policy largely gives effect to Policies 10 and 11 of the NPSET. The National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines.</p> <p>The 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) can adversely affect 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, and restrict access to lines, potentially resulting in potential tower failure and operational constraints. It is noted the</p>	<p>Seeks the policy be amended as follows:</p> <p>NU-P4: Adverse effects on network utilities Protect network utilities from the adverse effects of subdivision, <u>earthworks</u>, 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>managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility;</li> <li>managing new activities that are sensitive to noise adjoining the railway corridor;</li> <li>managing access to the railway corridor and to the national, regional, and arterial road network;</li> <li>managing light spill and glare from activities on road users and aircraft;</li> <li>avoiding physical obstructions within the Airport Zone;</li> <li>managing land disturbance and activities in the vicinity of electricity distribution infrastructure including cables, poles, and substations, and maintaining safe electrical clearance distances under electricity distribution lines and support structures;</li> <li>ensuring that <del>land disturbance</del> <u>earthworks and vertical holes, subdivision, buildings, structures</u> and activities within the National Grid Yard, <u>and subdivision within</u> the National Grid Subdivision Corridor, <del>or within the vicinity of a designated</del></li> </ol>	Open Submission
NU - Network utilities /Policies /NU-P6: Adverse effects of the National Grid Yard and National Grid Corridor	Rebecca Eng	99.44	Amend	<p>Considers the development of the National Grid must be managed to ensure that the potential for adverse effects is appropriately managed while recognising the significance of the National Grid and the constraints under which it operates. 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. The NPSET requires the District Plan to include objectives and policies that:</p> <ul style="list-style-type: none"> <li>Allow for the consideration of technical constraints and operational requirements under which the National Grid operates e.g. the linear nature of the transmission lines.</li> <li>Have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the route, site, and method selection process.</li> <li>Ensure planning and development of the National Grid has regard to the existing environment.</li> </ul> <p>The above means that policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment. Transpower seeks a standalone policy as the most efficient way to give effect to the NPSET and provisions of a specific policy for the National Grid is consistent with the approach sought and adopted across other district (and regional) plans across the country. In this context, and on this basis Policy NU-P6 is supported in principle. As such, while Policies NU-P1, 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. Notwithstanding its support for the specific National Grid effects policy, amendments are sought to the policy as follows:- Removal of reference to National Grid Yard and National</p>	<p>Seeks to amend the policy as follows:</p> <p><del>NU-P6: Adverse effects of the National Grid Yard and National Grid Corridor</del></p> <p>Enable major upgrading and development of the National Grid while managing adverse effects on the environment, including by:</p> <ol style="list-style-type: none"> <li><u>when considering measures to avoid, remedy and mitigate adverse effects of National Grid activities:</u> <ol style="list-style-type: none"> <li>considering the constraints imposed by locational, technical, and operational requirements;</li> <li><del>b.</del> <u>having regard to the extent to which effects have been avoided, remedied, or mitigated by route, site, or method selection;</u></li> <li><u>where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects</u></li> </ol> </li> <li>in urban areas, avoiding adverse effects on town centres, areas of high recreation value or amenity, and existing sensitive activities, and</li> <li>in rural areas, seeking to avoid adverse effects <u>on areas and values identified in Schedule 2 (Natural Feature and Landscapes), Schedule 3 (Historic Heritage), Schedule 5 (Archaeological Sites), Sites of Significance to Maori, and Significant Natural Areas.</u> <del>outstanding natural landscapes, high natural character areas, areas of high recreation value and amenity, and existing sensitive activities.</del></li> <li><u>Where the National Grid has a functional or operational need</u></li> </ol>	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R5: 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) in all zones and precincts	Rebecca Eng	99.45	Amend	<p>Supports the provision of a permitted rule for certain network utility activities within the National Grid Yard subject to certain standards being met. Notwithstanding the support, amendments are sought to the rule as follows:</p> <ul style="list-style-type: none"> <li>- Amendment to the title to include 'electricity generation that connects to the National Grid', as such activities are not captured by S166 of the RMA as a network utility.</li> <li>- Removal of reference to 'that are not regulated by an NES' to ensure the rule applies to activities subject to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016.</li> <li>- Inclusion of a new condition (4) that there be no loss of access to a National Grid Support Structure. Ongoing access to required for maintenance and emergency works.</li> </ul>	<p>Amend Rule NU-R5 as follows:            NU-R5: Construction of new network utilities and upgrading of existing network utilities <del>(that are not regulated by an NES), or any part of electricity generation that connects to the National Grid,</del> within the National Grid Yard (other than for the reticulation and storage of water for irrigation purposes carried out by a network utility operator) in all zones and precincts            NU-R5A            Activity Status: Permitted            Where:            The activity complies with relevant standards (NU-S1 - NU-S11);The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), andThe activity complies 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.Not result in the loss of vehicle access to a National Grid support structure</p> <p>NU-R5B            Activity Status where activity condition 1 is not met: Restricted Discretionary            Matters of discretion are:            The relevant matters of discretion for the standard infringed;Where more than one standard will be infringed, the cumulative effects of all infringements considered together;Whether alternative locations, routes, or other options</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Rebecca Eng	99.46	Support	<p>Support the rules specific to the National Grid, Rules NU-R6, NU-R7, NU-R12 and NU-R14 all manage the construction of new national grid assets within the city.</p> <p>Rule 6 relates to all zones and precincts excluding the Estuary Foreshore, Reserve and River Conservation zones. Where the standards are not met, consent is required for a restricted discretionary activity (defaulting to non-complying where the Electric and Magnetic field standard is not met).</p> <p>Above ground assets within the Estuary Foreshore, Reserve and River Conservation zones are a discretionary activity under Rule NU-R14.It is noted that rules R5, R6 and R12 all include the qualifier 'that are not regulated by an NES'. This qualifier does not apply to the National Grid as the NESETA does regulate new National Grid assets. However the NES-telecommunications will be applicable.</p> <p>Transpower supports the rules as they provide an appropriate consenting framework in which to consider new National Grid assets. The activity status give effect to the NPSET, specifically Policy 1 and Policy 2.</p>	Retain Rule NU-R6 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R7: Construction of new underground network utilities in the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Rebecca Eng	99.47	Support	<p>Support rules specific to the National Grid, Rules NU-R6, NU-R7, NU-R12 and NU-R14 all manage the construction of new National Grid assets within the city.</p> <p>Rule 7 relates to new underground assets within the Estuary Foreshore, Reserve and River Conservation zones. Where the standards are not met, consent is required for a restricted discretionary activity (defaulting to non-complying where the Electric and Magnetic field standard is not met).</p> <p>Transpower supports the rules as they provide an appropriate consenting framework in which to consider new National Grid assets. The activity status gives effect to the NPSET, specifically Policy 1 and Policy 2.</p>	Retain Rule NU-R7 as notified.	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Rebecca Eng	99.48	Support	Support rules specific to the National Grid, Rules NU-R6, NU-R7, NU-R12 and NU-R14 all manage the construction of new National Grid assets within the city. Rule 12 relates to new above ground assets within the Estuary Foreshore, Reserve and River Conservation zones. Where the standards are not met, consent is required for a restricted discretionary activity (defaulting to non-complying where the Electric and Magnetic field standard is not met). It is noted that rules R5, R6 and R12 all include the qualifier 'that are not regulated by an NES'. This qualifier does not apply to the National Grid as the NESETA does regulate new National Grid assets. However the NES-telecommunications will be applicable. Transpower supports the rules as they provide an appropriate consenting framework in which to consider new National Grid assets. The activity status give effect to the NPSET, specifically Policy 1 and Policy 2.	Retain Rule NU-R12 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R13: Buildings or structures within the National Grid Yard in all zones	Rebecca Eng	99.49	Amend	Transpower supports NU-R13 (and NU-R13A and NU-13B) on the basis it gives effect to Policy 10 and Policy 11 of the NPSET. There are health and safety issues of activities located in within proximity to the National Grid, and the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures, generating 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. Access to support structures can also be compromised, thereby affecting Transpower's ability to operate and maintain the assets as well as respond to any emergency situations. The provisions sought in relation to the National Grid Yard are intended to allow for the reasonable use of land inside the transmission line corridor, with standards and rules imposed to ensure that any land use and development that might compromise the National Grid is either managed or avoided. Specific to the 12 m 'National Grid Yard', there are some activities within the National Grid Yard that will not significantly compromise the operation, maintenance or any upgrade of the network, due to their nature and small scale. Certain structures are less problematic within 12 m of the line on the basis they are unlikely to "build out" a transmission line. The access or use of these structures can be restricted without causing animal welfare or business disruption issues, and they do not introduce intensive uses or heavily frequented workplaces with long durations of exposure to risk. Examples of development that should be avoided within the National Grid Yard include commercial buildings and intensive uses/development, dairy sheds, piggeries, poultry sheds, and commercial greenhouses. The	Amend Rule 13 as follows;  NU-R13: Buildings, or structures or activities within the National Grid Yard, in all zones  NU-R13A All zones Activity Status: Permitted Where: 1. The activity is not a sensitive activity. 2. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazard Classification Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to accessory use and storage of hazardous substances in domestic scale quantities). 3. The building... 4. All buildings, structures and activities permitted by 1. 2. or 3. above must: a. <del>The building or structure must have a vertical clearance of 10 m below the lowest point of a conductor under all transmission lines and building operating conditions</del> meet the electrical distances required by NZECP 34: 2001 under all transmission line and building operation conditions. b. <u>Not physically impede vehicular access to a National Grid support structure; and</u> c. <del>5. The building or structure is be</del> located at least 12 m from the outer visible edge of a foundation of a National Grid transmission	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R14: Activities not otherwise provided for (that are not regulated by an NES)	Rebecca Eng	99.50	Support	Specific to the National Grid, Rules NU-R6, NU-R7, NU-R12 and NU-R14 all manage the construction of new National Grid assets within the city. Rule 14 is the catch all discretionary rule. Transpower supports the rules as they provide an appropriate consenting framework in which to consider new National Grid assets. The activity status give effect to the NPSET, specifically Policy 1 and Policy 2.	Retain NU-R14 as notified.	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R9: New amateur radio configuration in all zones and precincts	Rebecca Eng	99.51	Amend	Supports the intent of the rule and condition relating to the non-complying activity status for new amateur radio configurations within the National Grid Yard, however the activity would already be captured by Rule NU-R13. Amendment is therefore sought in the Transpower submission to include within the non-complying rule, "or the activity is not otherwise specifically provided for."	<p>Transpower seeks deletion of condition 4 from the rule as follows:NU-R9A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity ...</li> <li>2. The activity complies with NU-S14 (Amateur Radio Configuration), <del>and</del></li> <li><del>3. The activity is not within the National Grid Yard.</del></li> </ol> <p>NU-R9B</p> <p>Activity Status where activity conditions 1 or 3 are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The relevant ..</li> </ol> <p>Notification: Any application under this rule is precluded from being publicly notified.</p> <p>Activity Status where activity conditions 2 <del>or 4</del> <u>is</u> not met: Non-complying</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	Rebecca Eng	99.52	Amend	While Transpower supports the intent of the rule and condition, the activity would be captured by Rule NU-R13, and specifically the amendment sought in the Transpower submission to include within the non-complying rule, "or the activity is not otherwise specifically provided for.".	<p>On the basis NU-R13 is amended as sought in the Transpower submission, Transpower seeks deletion of condition 4 from the rule as follows:NU-R10A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity is installed in association with an existing permitted or consented vehicle park, vehicle depot, or garage structure;</li> <li>2. The activity complies with standards (NU-S1 - NU-S11);</li> <li>3. The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), <del>and</del></li> <li><del>4. The activity is not within the National Grid Yard.</del></li> </ol> <p>NU-R10B</p> <p>Activity Status where activity condition 2 is not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>The relevant matters of discretion for the standard infringed;Where more than one standard will be infringed, the cumulative effects of all infringements considered together, andThe matters set out in policy NU-P4.</p> <p>Notification: Any application under this rule is precluded from being publicly notified.</p> <p>Activity Status where activity condition 1 is not met: Discretionary</p> <p>Activity Status where activity conditions 3 <del>or 4</del> <u>is</u> not met: Non-complying</p>	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	Rebecca Eng	99.53	Amend	While Transpower supports the intent of the rule and condition, the activity would be captured by Rule NU-R13, and specifically the amendment sought in the Transpower submission to include within the non-complying rule, "or the activity is not otherwise specifically provided for."	<p>On the basis NU-R13 is amended as sought in the Transpower submission, Transpower seeks deletion of condition 6 from the rule as follows:NU-R11A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity operates for a maximum of 12 months;</li> <li>2. The temporary network utility and associated buildings and structures are removed from the site when the operation of the activity ceases;</li> <li>3. Where the temporary network utility is within road reserve, the site is reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors (15 July 2019);</li> <li>4. The activity complies with relevant standards (NU-S1 - NU-S11);</li> <li>5. The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), <del>and</del></li> <li>6. <del>The activity is not within the National Grid Yard.</del></li> </ol> <p>NU-R11B</p> <p>Activity Status where activity condition 4 is not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <p>The relevant matters of discretion for the standard infringed;Where more than one standard will be infringed, the cumulative effects of all infringements considered together, andThe matters set out in policy NU-P4.</p> <p>Notification: Any application under this rule is precluded from</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Rebecca Eng	99.54	Support	<p>Specific to the National Grid, Rules NU-R6, NU-R7, NU-R12 and NU-R14 all manage the construction of new National Grid assets within the city.</p> <p>Rule 12 relates to new above ground assets within the Estuary Foreshore, Reserve and River Conservation zones. Where the standards are not met, consent is required for a restricted discretionary activity (defaulting to non-complying where the Electric and Magnetic field standard is not met).</p> <p>It is noted that rules R5, R6 and R12 all include the qualifier 'that are not regulated by an NES'. This qualifier does not apply to the National Grid as the NESETA does regulate new National Grid assets.</p> <p>Transpower supports the rules as they provide an appropriate consenting framework in which to consider new National Grid assets. The activity status give effect to the NPSET, specifically Policy 1 and Policy 2.</p>	Retain Rule NU-R12.	Open Submission



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NU - Network utilities //	Rebecca Eng	99.73	Amend	Seeks an amendment to the Network Utilities chapter to include a new rule for earthworks within the National Grid Corridor. Earthworks can compromise the National Grid and are anticipated by the NPSET (Policy 10). Earthworks adjacent to support structures can undermine the stability of the structure foundations, causing the structure to lean or, worse, collapse, leading to power outages. Excavations or mounding mid-span can increase risks by reducing the clearance between the ground and conductors. Excavated areas or piles of earthworks can also restrict Transpower's ability to access and locate the heavy machinery required to maintain support structures and conductors around the lines, including in emergency situations. The PDP contains no provisions specific to earthworks in the National Grid Yard, either in the Network Utilities Chapter or in the Earthworks Chapter. It is noted that there is a standard EW-S8 specific to earthworks in proximity of a gas transmission line but no applicable standard for earthworks within proximity of the National Grid. The National Planning Standard definition of earthworks specifically excludes the disturbance of land for the installation of fence posts. For this reason, the rule needs to be amended to expressly regulate fence posts. A permitted rule is sought, defaulting to non-complying where the standards are not complied with.	Insert a new earthworks rule to manage activities within the National Grid yard as follows:  <u>NU – REW Earthworks and vertical holes within the National Grid Yard</u> <u>Activity Status Permitted</u> <u>Where:</u> <u>1. Earthworks and vertical holes do not:</u> <u>a. Exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;</u> <u>b. Exceed 3m in depth between 6m and 12m of the outer visible edge of a National Grid support structure;</u> <u>c. Compromise the stability of any National Grid support structures;</u> <u>d. Result in the loss of vehicular access to a National Grid support structure; and</u> <u>e. Result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;</u>  <u>2. Earthworks and vertical holes for the following activities are exempt from compliance with EW-RX.1(a) to (d):</u> <u>a. Earthworks or vertical holes, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;</u> <u>b. Agricultural or domestic cultivation;</u> <u>c. The repair, sealing or resealing of a vehicle access or farm track, footpath or driveway;</u>	Open Submission
NU - Network utilities /Issues /	Kelby Cai	143.1	Support	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports except NU-S9	To Retain Issues: - NU-I1 - NU-I2 - NU-I3	Open Submission
NU - Network utilities /Objectives /	Kelby Cai	143.2	Support	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports except NU-S9	To retain objectives: - NU-O1 - NU-O2 - NU-O3	Open Submission
NU - Network utilities /Policies /	Kelby Cai	143.3	Support	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports except NU-S9	To retain policies: - NU-P1 - NU-P2 - NU-P3 - NU-P4	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /	Kelby Cai	143.4	Support	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports except NU-S9	To retain Rules: - NU-R1 - NU-R2 - NU-R5 - NU-R6	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /	Kelby Cai	143.5	Support	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports	To retain Standards: - NU-S1 - NU-S2 - NU-S3 - NU-S4 - NU-S5 - NU-S6 - NU-S7 - NU-S10 - NU-S11	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S9: Signs	Kelby Cai	143.6	Amend	Supports the definition for 'network utility' and the provisions which enable the construction of new network utilities as a permitted activity, subject to compliance with various standards, which are generally appropriate for the range of network utilities that oOh supports except NU-S9. Standard NU-S9 relates to signs - considers the standard unclear in application only to signs that are directly related to the network utility or whether it applies to other forms of signage.	To amend NU-S9: Sign; to provide for signs directly related to a network utility	Open Submission
NU - Network utilities /Objectives /	Sera Chambers	150.105	Amend	Considers that the wording should be amended to allow adjoining landowners to be notified and be able to have their say to allow their enjoyment of property rights as a guiding principle and the option to have the impact mitigated by the entity impacting the enjoyment.	Seeks wording to be amended as follows:  <u>The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, as far as practicable, while recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements).Adjoining landowners should be notified and be able to have their say on this, to allow their enjoyment of property rights as a guiding principle and the option to have the impact mitigated by the entity impacting the enjoyment.</u>	Open Submission
NU - Network Utilities/Introduction	Tom Anderson	151.21	Support	Considers a cross reference to explain the other regulations which influence some network utilities in the city is appropriate.	Retain this paragraph as notified	Open Submission
NU - Network utilities /Introduction	Tom Anderson	151.22	Amend	Considers it is not clear how the NU chapter interrelates with the other chapters in the PDP. Under the National Planning Standards, all rules relating to Network Utilities are to be contained in the NU Chapter. This should be made clear to plan users in the introduction to the NU Chapter.	Amend the introduction as follows:  Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the electricity distribution network, the National Grid, and gas transmission pipelines) are contained, in the relevant chapters for zones and precincts, special overlays, and district-wide chapters such as the Noise chapter. <u>However, all rules relating to the operation, maintenance, upgrading and construction of new network utilities are contained within this chapter. As such no other chapters in the plan need to be considered for the operation, maintenance, upgrading and construction of new network utilities in Napier City.</u>  A number of network utility operators, including the Napier City Council, also utilise their ability to designate critical sites for a specified network utility purpose. Designations are identified on the Planning Maps and are listed in the 'Designations' section in 'Part 3 - Area-Specific Matters' in the District Plan.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Tom Anderson	151.23	Support	This objective is appropriate and is supported.	Retain the objective as notified	Open Submission
NU - Network utilities /Objectives	Tom Anderson	151.24	Support	Supports objective, particularly as it recognises the practicability of avoiding, remedying and mitigating actual and potential adverse effects, as well as the functional and operational needs of network utilities.	Retain the objective as notified.	Open Submission
NU - Network utilities /Objectives	Tom Anderson	151.25	Support	Supports objective as it is appropriate.	Retain the objective as notified.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Tom Anderson	151.26	Support	Supports as the policy appropriately recognises the role of network utilities and guides what decision makers should be focussed on when considering resource consent applications	Retain the policy as notified	Open Submission

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NU - Network utilities /Policies	Tom Anderson	151.27	Amend	Considers that the policy's consideration of adverse effects is narrow, and does not consider the nuance provided in NU-O2 relating to practicability and operational and functional needs.	<p>Amend the policy as follows:</p> <p>Require the development, operation, maintenance, repair, upgrading, and removal of infrastructure to avoid, remedy, or mitigate adverse effects <u>as far as practicable</u>, including by:</p> <p>a. avoiding, remedying or mitigating adverse effects on:</p> <p>i. natural and physical resources;</p> <p>ii. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance;</p> <p>iii. the safe and efficient operation of other network utilities, including effects on electricity distribution, electricity transmission and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks, and</p> <p>iv. the health, wellbeing, and safety of people and communities, including by minimising risks from exposure to radiofrequency fields, electric and magnetic fields, and from natural hazards.</p> <p>b. requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields, and electric and magnetic fields.</p> <p>c. encouraging the progressive undergrounding of appropriate network utilities where technically feasible and practicable.</p> <p>d. encouraging the co-siting and sharing of facilities and other innovative solutions.</p> <p>e. encouraging the removal of redundant and superseded above</p>	Open Submission
NU - Network utilities /Policies	Tom Anderson	151.28	Support	Supports as the policy recognises the functional and operational needs of protected areas and sites of significance.	Retain the policy as notified	Open Submission
NU - Network utilities /Policies	Tom Anderson	151.29	Support	Supports as the policy, in particular through subclause (i) appropriately protects telecommunication networks from reverse sensitivity effects. Telecommunications activities can be adversely affected by land use which is too close and too high to mobile phone facilities, essentially building into the radiofrequency plume, and making what was a permitted telecommunications activity a non-complying one. Considers it is imperative therefore that in all zones, reverse sensitivity effects on network utilities must be considered for proposed buildings which exceed the permitted height limit.	Retain the policy as notified	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1A	Tom Anderson	151.30	Support	Supports as the rule is appropriate for the ongoing operation of existing network utilities	Retain the rule as notified	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2A	Tom Anderson	151.31	Amend	Considers that the rule appropriately provides for the ongoing operation of existing network utilities however clarification is necessary around what is the 'face area' of an antenna, and a definition is necessary for the work "tower" so that this is clearly understood, including how it is different from a "pole" (noting "pole" is defined in the NES-TF)	Amend the rule as follows: NU-R2A  Activity Status: Permitted Where:  1. The realignment, configuration, relocation, or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets, or ancillary structures must be: a. within 5 m of the existing alignment or location. 2. Alterations and additions to overhead electricity and telecommunication lines on existing poles must not: a. increase the number of conductors or wires/lines by more than 100%; b. exceed a diameter of 50 mm, and c. have additional cross arms that exceed the length of the existing cross arm by more than 100%, up to a maximum of 4 m. 3. The diameter of a replacement conductor or line must not exceed the diameter of the replaced conductor or line or 50 mm, whichever is the greater. 4. The addition or replacement of earthwires (either overhead or underground) and underground earthgrids may contain telecommunication lines and earthpeaks or above ground insulators on the poles. 5. Any pole that replaces an existing pole must not:	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R4A	Tom Anderson	151.32	Amend	Supports rule in principle, however it should define what activities are ancillary to the primary function of Hawke's Bay Airport so that it is clear in the rule.	Amend the rule to detail what activities are considered ancillary to the primary function of Hawke's Bay Airport	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6A	Tom Anderson	151.33	Support	Supports as the rule is clear for all network utility construction. An elevation to Restricted Discretionary is appropriate.	Retain the rule as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11A	Tom Anderson	151.34	Amend	Supports permitted provision for temporary network utilities however, temporary network utilities give rise to temporary effects. Subclause (4) requires compliance with all network utility standards. This means there is no additional benefit to a temporary facility over and above a permanent one in the same location. Considers that while it is appropriate that some network utility standards are met, it is not essential for all standards to be met.	Amend the rule as follows: NU-R11A  Activity Status: Permitted  Where:  1. The activity operates for a maximum of 12 months; 2. The temporary network utility and associated buildings and structures are removed from the site when the operation of the activity ceases; 3. Where the temporary network utility is within road reserve, the site is reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors (15 July 2019); 4. The activity complies with relevant standards (NU-S1 - NU-S11) NU-S5, NU-S6, NU-S7, ; 5. <del>The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), and</del> 6. The activity is not within the National Grid Yard.  NU-R11B  Activity Status where activity condition 4 is not met: Restricted Discretionary	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12A	Tom Anderson	151.35	Oppose	Opposes as controlled Activity status in more sensitive zones can be appropriate however, in reviewing the PDP, the zones listed do not appear to exist. As such the rule should be deleted.	Delete the rule as notified	Open Submission

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NU - Network utilities /NU - Network Utilities - Standards Table	Tom Anderson	151.36	Amend	Notes that under the NESTF, there is no setback required for a telecommunication structure located in legal road where that road adjoins a railway line. Considers that it would be appropriate to have the same provision for other network utility structures, otherwise structures with the same effect are permitted or restricted discretionary in the same location depending on who the network utility operator is.	<p>Amend the standard as follows:</p> <p>Where adjoining the rail corridor boundary</p> <p>Purpose: to avoid, remedy, or mitigate effects on public health and safety and the functioning of the rail corridor.</p> <p>1. The following minimum setbacks for network utilities from the rail corridor boundary must be provided as follows:</p> <p>a. any part of an above ground building or structure - 2 m <u>nil (where located within road reserve).</u></p> <p>Refer to assessment criteria NU-AC1.</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S12: Radio frequency fields	Tom Anderson	151.37	Amend	Considers that the standard is inconsistent with current best practice for radiofrequency, detailed in the NES-TF, and as such should be updated. Notes that NZS2772.1 details measurement points, methods and these are well understood and used everyday by the telecommunications industry.	<p>Amend the standard as follows</p> <p>NU-S12: Radio frequency fields All zones and associated precincts</p> <p>Purpose: to protect public health and safety and ensure the generation of radiofrequency fields is maintained at an acceptable level of public exposure.</p> <p>1. If generating radiofrequency fields, the activity must <del>not exceed the maximum exposure level of the general public in be installed and operated in accordance with</del> New Zealand Standard NZS 2772.1:1999 Radiofrequency fields – Maximum exposure levels – 3 kHz to 300 GHz at: <del>any point beyond the site boundary and less than 5 m in height above ground level where the land is not occupied by a building, and any point beyond the site boundary and less than 2 m above a building, roof, or balcony on any land beyond the site boundary.</del></p> <p><del>Subject to the express provisions of this condition, the maximum general public exposure levels must be measured in accordance with New Zealand Standard NZS6609:1990 (Part 2 Principles and Methods of Measurement).</del></p>	Open Submission

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NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Tom Anderson	151.38	Amend	<p>Notes that Mobile telecommunication facilities rely on line of sight for optimal function. Increased antenna height improves coverage by surpassing local 'clutter' such as buildings and trees. Considers that as well as these provisions affecting potential future sites, they also create a potential reverse sensitivity effect on existing sites. Proposed building height provisions in the PDP may obstruct mobile telecommunication facilities. Notes that greater building height alters radiofrequency exposures, necessitating compliance with safety standards as it potentially allows people to be exposed to greater levels of radiofrequency, and changes the activity status of an existing or permitted facility from permitted to non-complying under the NESTF. Support city densification but highlight the need to upgrade existing networks with provision in the PDP. Considers the inclusion of The need for increased mobile telecommunication facility heights as part of the densification of cities in New Zealand is recognised in the recently released Targeted engagement draft - Natural and Built Environment (Transitional National Planning Framework) Regulations from the Ministry for the Environment, which in its final form will be utilised in plans made under the Natural and Built Environment Act 2023. In relation to mobile telecommunication facility heights, draft Regulation 13.2.33 proposes a height of 17m in areas zoned for residential and local centre activities, 20m in areas zoned for neighbourhood centre activities, and 25m in other zones. These heights are generally supported.</p> <p>Considers an alternative approach suggests allowing mobile facility heights 5m taller than permitted building heights which mitigates clutter and radiofrequency effects as those adopted in New Plymouth and similar considerations are under review in other districts PDPs, including</p>	<p>Delete the standard and replace:</p> <p><u>Pole heights</u></p> <p><u>1. In Legal Road</u></p> <p><u>a. Maximum permitted height adjoining residential zones (excluding medium or high-density residential zones) is zone building height plus 5 metres or 17m whichever is the larger</u></p> <p><u>b. Maximum permitted height adjoining all medium or high-density residential zones is zone building height plus 5 metres</u></p> <p><u>c. Maximum permitted height of 20 metres adjoining a local centre or neighbourhood zone; or</u></p> <p><u>d. Maximum permitted height of 35 metres adjoining Rural zones;</u></p> <p><u>or</u></p> <p><u>e. Maximum permitted height of 17 metres adjoining areas</u></p> <p><u>f. Adjoining all other zones maximum permitted height is the greater of either 25 metres or the relevant building height for the adjoining zone, plus 5 metres.</u></p> <p><u>2. Maximum height in Residential zones is 17m or 5m plus zone building height which ever is the greater.</u></p> <p><u>3. Maximum height in local centre zones is 20m with a setback of 3m plus 450 if adjoining a residential zone</u></p> <p><u>4. Maximum of 25m in all other commercial, industrial, recreational, hospital zones or the zone building height, plus 5 metres whichever is greater</u></p> <p><u>5. Maximum of 35m in rural zones or 40m if there are two or more operators on the facility.</u></p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.39	Amend	<p>Notes that there appears to be a typo in the standard for panel antenna size. 20m2 as permitted is generous. 2.5m2 is more appropriate. 1.5m2 in other zones provides better alignment with the NESTF. clarification should be provided for which face of a panel antenna the standards apply to.</p>	<p>Amend the standard as follows:</p> <p>...</p> <p>4. Panel <u>antennas</u> must not:</p> <p>a. exceed 2.0 m2 in <u>front face</u> area any commercial and mixed use zones, industrial zones, or airport zones and associated precincts;</p> <p>b. exceed 1.25 m2 <u>frontface area</u> in all other zones, and</p> <p>c. ...</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.40	Support	<p>Supports as telecommunication companies will put up signs explaining they have provided a new service to an area. The standard as notified is appropriate for this purpose.</p>	<p>Retain the standard as notified.</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /	Tom Anderson	151.44	Amend	<p>Seeks a new rule in order to ensure that customer connections to heritage buildings are permitted. Considers that new customer connections provide for the adaptive reuse of buildings, and by having appropriate permitted activity standards, adverse effects on the heritage item can be avoided, remedied or mitigated.</p>	<p>Add a new rule as follows:</p> <p><u>NU-RX Customer connections to a heritage building</u></p> <p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p><u>Customer connections to heritage buildings where the customer connection shall not be attached to a primary feature or front façade of the heritage building or item.</u></p> <p><u>Activity status where not achieved: Discretionary</u></p>	Open Submission

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NU - Network utilities /Assessment Criteria	Tom Anderson	151.45	Amend	Considers that the objective and policy framework recognises functional need and operational need. The assessment criteria should follow suit.	<p>Amend the assessment criteria as follows:</p> <p>a. Whether the increased height of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and within the existing streetscape and road frontage.</p> <p>b. Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.</p> <p>c. Whether the health and safety of surrounding properties and occupiers will be maintained through the building or structure being located at an adequate distance from all property boundaries.</p> <p>d. Whether the building or structure will be temporary in nature.</p> <p>e. Whether the proposed building or structure will penetrate into any of the flight paths of the Hawke's Bay airport.</p> <p><u>f. Whether there are any characteristics, technical requirements, functional needs or operational needs of the proposed use that will make compliance impracticable</u></p>	Open Submission
NU - Network utilities /Introduction /	Tom Anderson	151.71	Amend	Strongly supports this introductory wording "it is considered appropriate that a single set of rules be provided that apply across the District". Considers that, to follow the method of other recently notified plans and to provide further clarification, additional wording is proposed which makes it clear that only the NU chapter is applicable to network utility activities.	<p>Amend the introduction as follows:</p> <p>To achieve this, the network utility provisions in the District Plan provide for the establishment, operation, and maintenance of network utilities throughout the district while managing their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding and significant landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazards). As many network utilities are lineal and traverse many parts of the district, it is considered appropriate that a single set of rules be provided that apply across the District. <u>Therefore there is no requirement for activities defined as network utilities to consider the provisiosn of the district-wide chapters relevant for Hazards and Risks, Historical and Cultural Values, Natural Environmental Values, or the zone chapters.</u></p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12A	Tom Anderson	151.80	Amend	Considers the addition of lines to existing overhead networks in these zones should be provided for as a permitted activity.	Amend the rule so that the addition of new lines to any existing overhead networks in these zones is a permitted activity	Open Submission

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NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12A	Tom Anderson	151.81	Amend	Considers that the functional need or operational need of infrastructure should be a consideration under the matters of discretion.	<p>Amend the provision as follows:</p> <p>NU-R12B</p> <p>Activity Status where activity conditions 1 or 2 are not met: Restricted Discretionary</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The <u>effects</u> on the amenity of the area and its surrounds;</li> <li>2. The <u>effects</u> on any cultural, historical, amenity, recreational, and/or ecological values the area may possess, and</li> <li>3. The <u>effects</u> on any outstanding natural feature or significant landscape identified in the District Plan.</li> <li>4. <u>The functional need or operational need for infrastructure to be located in the zone</u></li> </ol>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.82	Amend	Considers that the standard should recognise that the telecommunication companies have experience in constructing pole structures beneath airport obstacle limitation surfaces and through this experience it has been found that engineers are equally capable of calculating maximum permitted height without penetrating the surfaces.	<p>Amend the provision as follows:</p> <p>All zones and associated precincts</p> <p>....</p> <p>Note: A registered surveyor's certificate or <u>engineering calculation</u> verifying that the building or structure plans meet the Airport Height Control Designation in Appendix 1 will be required at the time of applying for building consent or requesting a certificate of compliance.</p> <p>...</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.83	Oppose	Opposes as there is no requirement for this standard - there are other existing processes through Corridor Access Requests and the Resource Management (Network Utility Operations) Regulations 2016 which require the same matter to be considered.	Delete the provision.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.84	Amend	Considers that the standard needs to be reworded to an activity which has a footprint of more than 200m2 in area, rather than on a site of that size. Often small infrastructure such as a pole or a cabinet which has no transport implications can be located on a site which is more than 200m2 in area.	<p>Amend the provision as follows:</p> <p>All zones and associated precincts</p> <p>...</p> <p>1. Any network utility <del>on a site that is</del> that has a footprint of more than 200 m2 in area, must meet the requirements for access in the Transport chapter in standards, TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT-S6 (Manoeuvring).</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /All zones and associated precincts	Tom Anderson	151.85	Amend	Considers some clarification is sought in the wording, so that new lines over a waterway attached to existing structures, such as poles, are clearly provided for.	<p>Amend the provision as follows:</p> <p>...</p> <p>3. When located above a waterbody, new pipes, cables, conductors, or lines must be:</p> <ol style="list-style-type: none"> <li>a. attached to an existing bridge or structure and <del>incorporated within an existing bridge structure or culvert,</del> or</li> <li>b. within an existing attached conduit or duct.</li> </ol> <p>...</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /	Tom Anderson	151.86	Amend	Considers a new rule is needed to ensure that monitoring equipment in the Coastal Environment or on the surface of water is permitted. Such equipment is beneficial to understanding changes to the environment which surrounds us.	Add a new rule with permitted activity status for new monitoring equipment on the surface of water or in the coastal environment.	Open Submission



# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensionsAll zones and associated precincts	Tom Anderson	151.87	Amend	Notes that the standard is about dimensions - having floor space in the title is somewhat confusing as the standard is much broader. Considers that the floor space for buildings is limited, and should reflect the underlying site coverage of buildings in the relevant zone that the building is located in. The Antenna sizes provided for should align with the NESTF.	Amend the standard as follows: NU-S4: <del>Floor space &amp;</del> dimensions ... 1. Any above ground building or structure (excluding new electric vehicle charging facilities) must not: a. exceed 10 m2 gross floor area (where located within road reserve); b. <del>exceed 15 m2 gross floor area (where located outside road reserve) in the</del> <u>insert site coverage permitted standards in</u> residential zones and associated precincts, and c. <del>exceed 50 m2 gross floor area</del> -(where located outside road reserve) in the rural zones (including rural lifestyle zone), commercial and mixed use zones, industrial zones and associated precincts <u>insert site coverage permitted standards in</u> . ... 4. Panel antennas must not: a. exceed <del>20</del> 2.5m2 in <u>front face area</u> in any commercial and mixed use zones, industrial zones, or airport zones and associated precincts; b. exceed 1.25 m2 in <u>front face area in</u> all other zones, and c. when located within road reserve, must fit within an envelope of 3.5 m in length and 0.7m in width. ...	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Tom Anderson	151.88	Amend	Considers that the functional need and operational need are two separately defined terms, and the objective should recognise that only one or the other is required to be satisfied to fulfil the objective, not both.	Amend the provision as follows <u>NU-O2: Adverse effects of network utilities</u> <u>The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, as far as is practicable, while recognising the functional <del>and</del> or operational needs of network utilities (including those associated with their scale, design, and locational requirements).</u> - <u>Relates to NU-I2</u>	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /	Tom Anderson	151.89	Amend	Considers that clear provision should be provided for activities which are regulated by, but do not meet the relevant permitted regulations of the NESTF but do not have significant adverse effects. It is appropriate for such structures to have Controlled Activity Status.	<p>Add a new rule as follows:</p> <p><u>NU-RX: Telecommunications regulated under NES-TF, but which do not meet the permitted activity standards in Regulations 27, 29, 31, 33 or 35 of the NESTF</u></p> <p><u>All Zones</u></p> <p><u>Activity Status: CON</u></p> <p><u>Where:</u></p> <p><u>1. for panel antenna a width of 0.8m is not exceeded;</u>  <u>2. for dish antenna, the antenna does not exceed a diameter of:</u>  <u>a. 1.2m in a residential zone; or</u>  <u>b. 3m in all other zones.</u></p> <p><u>And the activity complies with the following standards:</u>  <u>NU-S3 and INF-S12</u></p> <p><u>Matters over which control are reserved:</u>  <u>NU-AC3</u></p> <p><u>Activity status when compliance is not achieved with RXX.1 – XX.2</u>  <u>RDIS</u></p>	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Sheena McGuire	168.26	Support	Supports recognition of the essential role of network utilities and the intent of the objective to enable the safety and efficiency of network utilities, including the rail network.	Retain as proposed	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Sheena McGuire	168.27	Support	Supports recognition of the functional and operational needs of network utilities while managing adverse effects on the environment.	Retain as proposed	Open Submission
NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Sheena McGuire	168.28	Support	Supports the intent of this objective, to protect the operation, safety, maintenance, upgrade and development of network utilities from incompatible activities and reverse sensitivity effects.	Retain as proposed	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Sheena McGuire	168.29	Support	Supports provisions which enable and provide for the on-going operation and maintenance of existing network utilities, as well as providing for upgrade and development of new network utilities.	Retain as proposed	Open Submission
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Sheena McGuire	168.30	Support	Supports policy direction that recognises that it is not always possible to avoid adverse effects of infrastructure and that adverse effects on the safety and efficiency of network utilities must be managed.	Retain as proposed.	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Sheena McGuire	168.31	Support	Supports management of adverse effects of network utilities on protected areas and sites of significance while recognising the functional and operational needs of network utilities.	Retain as proposed	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Sheena McGuire	168.32	Amend	Supports provisions that seek to protect the safe and efficient operation, maintenance, upgrade and development of the rail corridor. Supports clauses (a)-(c) which specifically seek to protect the corridor via managing setbacks, noise sensitive activities and access. Seeks a new clause to ensure that land disturbance and subdivision are managed within the vicinity of the rail corridor as well as activities to address all potential impacts from adjacent development and land uses.	Amend as follows: a. managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility; b. managing new activities that are sensitive to noise adjoining the railway corridor; c. managing access to the railway corridor and to the national, regional, and arterial road network; d. managing light spill and glare from activities on road users and aircraft; e. avoiding physical obstructions within the Airport Zone; f. managing land disturbance and activities in the vicinity of electricity distribution infrastructure including cables, poles, and substations, and maintaining safe electrical clearance distances under electricity distribution lines and support structures; g. ensuring that land disturbance, subdivision, and activities within the National Grid Yard, the National Grid Subdivision Corridor, or within the vicinity of a designated National Grid substation that may compromise the National Grid; h. maintaining safe electrical clearance distances under electricity distribution lines and support structures, and i. ensuring subdivision of sites containing a network utility can achieve safe clearance distances and retain the ability for the network utility operator to access, operate, maintain, repair, and upgrade the network utility. j. <u>managing land disturbance, subdivision, and activities in the</u>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts	Sheena McGuire	168.33	Support	Supports the Permitted Activity status of the operation, maintenance, replacement, and removal of existing network utilities in all zones and precincts subject to compliance with standards. Supports a Restricted Discretionary Activity status noting matter of discretion 3. in particular, where compliance with standards cannot be achieved	Retain as proposed.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	Sheena McGuire	168.34	Amend	Supports the Permitted Activity status of minor upgrading of existing network utilities. Considers the clauses fail to provide for rail infrastructure minor upgrades. Seeks amendment to ensure minor upgrades to rail infrastructure can be carried out as a permitted activity, subject to standards. Seeks amendment to NU-R2B to ensure the potential adverse effects on the safe and efficient operation of the rail network.	Amend as follows: NU-R2A Activity Status: Permitted Where: The realignment, configuration, relocation, or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets, <u>rail infrastructure</u> or ancillary structures must be: a. within 5 m of the existing alignment or location. NU-R2B Activity Status where activity conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 or 11 are not met: Restricted Discretionary Matters of discretion are: a. Functional and operational needs of and benefits derived from the network utility; b. Purposes and necessity of the upgrading; c. Potential adverse visual effects of the upgrading, including impacts on the amenity values of the locality and any contribution	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Sheena McGuire	168.35	Amend	Considers that it is unclear where the Estuary, Foreshore Reserve, Reserve and River Conservation Zones are. There is one zone labelled 'Ahuriri Estuary Stormwater and Ecology' but otherwise it's unclear where the other listed zones are. Seeks clarification of these zones within relevant provisions and on the planning maps. Considers it is difficult to assess the appropriateness of these provisions for construction of new network utilities without confirming how these zones interact with the rail corridor.	Amend as follows:  Amend planning maps to clearly show the extent of the Estuary, Foreshore Reserve, Reserve and River Conservation Zones.  And/or  Amend provisions to correctly list defined precincts/zones on the planning maps.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R7: Construction of new underground network utilities in the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Sheena McGuire	168.36	Amend	Considers that it is unclear where the Estuary, Foreshore Reserve, Reserve and River Conservation Zones are. There is one zone labelled 'Ahuriri Estuary Stormwater and Ecology' but otherwise it's unclear where the other listed zones are. Seeks clarification of these zones within relevant provisions and on the planning maps.Considers it is difficult to assess the appropriateness of these provisions for construction of new network utilities without confirming how these zones interact with the rail corridor.	Amend as follows:  Amend planning maps to clearly show the extent of the Estuary, Foreshore Reserve, Reserve and River Conservation Zones.  And/orAmend provisions to correctly list defined precincts/zones on the planning maps.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Sheena McGuire	168.37	Amend	Considers that it is unclear where the Estuary, Foreshore Reserve, Reserve and River Conservation Zones are. There is one zone labelled 'Ahuriri Estuary Stormwater and Ecology' but otherwise it's unclear where the other listed zones are. Seeks clarification of these zones within relevant provisions and on the planning maps. Considers it is difficult to assess the appropriateness of these provisions for construction of new network utilities without confirming how these zones interact with the rail corridor.	Amend as follows:  Amend planning maps to clearly show the extent of the Estuary, Foreshore Reserve, Reserve and River Conservation Zones.  And/orAmend provisions to correctly list defined precincts/zones on the planning maps.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	Sheena McGuire	168.38	Support	Supports provision for temporary network utilities in all zones and precincts as a Permitted Activity, subject to standards.	Retain as proposed.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Sheena McGuire	168.39	Amend	Supports the proposed setbacks for network utilities including rail buildings and structures on sites adjoining residential activities and non- residential activities. Seeks amendment to 3. Setbacks where adjoining the rail corridor. Considers that a safety setback is important to provide enough space within a site adjoining the rail corridor for the network utility operator of that building, line or structure to maintain and access their network utility – without accessing the rail corridor to do so, or getting too close to trains. Considers that network utilities constructed close to the rail corridor do not leave enough space on site for essential maintenance activities and the lack of space means that it is highly likely that these activities can only happen by accessing the rail corridor. Notes the rail corridor is not a public domain and it has a very different and high consequence risk profile compared to entering other sites. Notes it is a hazardous environment and entering the rail corridor can result in a material safety issue to both the person accessing the corridor, and to the rail operations being undertaken within the rail corridor. Seeks a 5 metre safety setback from the boundary of the rail corridor to provide sufficient clearance to use and maintain network utilities safely while ensuring the provision of a safe and efficient rail network.	Amend as follows:  The following minimum setbacks for network utilities from the rail corridor boundary must be provided as follows:  any part of an above ground building or structure - <del>2</del> 5m.	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S2: Height for above ground buildings	Sheena McGuire	168.40	Amend	Generally supports the height standards for above ground buildings. Seeks minor amendment to the matters of discretion for consistency and to ensure the efficiency of network utilities is a consideration.	Amend as follows:  Matters of discretion are:  1. Functional and operational requirements of the network utility; 2. Effects on character and amenity of adjoining sites and surrounding environment; 3. The prominence of the location, taking into account significant public views; 4. Effects on public health and safety, including air traffic safety, 5. <u>Impact on the safe and efficient operation of the network utility; and</u> 6. Impacts on the functional requirements, and safe and efficient operation of other network utilities.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Sheena McGuire	168.41	Amend	Generally supports the height standards for above ground structures. Seeks minor amendment to the matters of discretion for consistency and to ensure the safe and efficient operation of network utilities is a consideration.	Amend as follows:  Matters of discretion are:  1. Functional and operational requirements of the network utility; 2. Effects on character and amenity of adjoining sites and surrounding environment; 3. The prominence of the location, taking into account significant public views; 4. Effects on public health and safety, including air traffic safety, 5. <u>Impact on the safe and efficient operation of the network utility; and</u> 6. Impacts on the functional requirements, and safe <u>and efficient</u> operation of other network utilities.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensions	Sheena McGuire	168.42	Amend	Generally supports the floor space standards for above ground buildings and structures. Seeks minor amendment to the matters of discretion for consistency and to ensure the safe and efficient operation of network utilities is a consideration.	Matters of discretion are:  1. Functional and operational requirements of the network utility; 2. Effects on character and amenity of adjoining sites and surrounding environment; 3. The prominence of the location, taking into account significant public views, and 4. <u>Impact on the safe and efficient operation of the network utility;</u> 5. Effects on public health and safety.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S5: Sight distances	Sheena McGuire	168.43	Amend	Notes that this standard currently only refers to state highway sight distances. Requests amendment to ensure that both rail and road intersection sightlines are protected for safety reasons. Requests inclusion of a new rule and standard within the Transport Chapter to require protection of level crossing sight lines. Requests amendment to NU-S5 to refer to these provisions and ensure compliance for network utilities.	Amend as follows:  ...  3. <u>Any network utility must meet the requirements of TPT-R6 and TPT-S8 relating to the protection of sight lines at railway level crossings.</u>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S6: Noise and vibration	Sheena McGuire	168.44	Amend	Supports clause 2. which specifies that noise limits don't apply to emergency and back-up generator noise for 48 hours. Seeks inclusion of new matters of discretion for consistency and to ensure the safe and efficient operation of network utilities is a consideration.	Matters of discretion are:  1. <u>Functional and operational requirements of the network utility;</u> 2. <u>Effects on character and amenity of adjoining sites and surrounding environment;</u> 3. <u>Impact on the safe and efficient operation of the network utility;</u> 4. Effects of noise on amenity values, and 5. Effects on public health and safety.	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S7: Light spill	Sheena McGuire	168.45	Amend	Supports a specific light spill standard for network utilities. KiwiRail is required to install and use lighting for safe navigation and access within the rail corridor. Requests that the rail lighting is grouped with road lighting.	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>For sites adjoining or adjacent to residentially zoned land, the following standard shall apply, except where the light source is located on a legal road, road reserve or service lane, <u>or within the rail corridor</u>: <ol style="list-style-type: none"> <li>all external lighting must be sited, directed, and screened to ensure that the direct illuminance from the lighting installation must be less than 8 lux spill measured at a height of 1.5 m above the ground at the boundary of the site.</li> </ol> </li> <li>Where any network utility is located on a road <u>or within the rail corridor</u>, any outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users, or aircraft.</li> <li>The above light spill standards do not apply to road lighting, traffic signals, rail lighting, and navigational beacons.</li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li><u>Functional and operational requirements of the network utility;</u></li> <li><u>Impact on the safe and efficient operation of the network utility;</u></li> <li>Effects of light spill and glare on residential amenity values, and</li> <li>Effects on road user and aircraft safety.</li> </ol>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S8: Parking and access	Sheena McGuire	168.46	Amend	Seeks amendment to ensure that vehicle access tracks, required for regular maintenance of the rail network, are not included in this standard. The rail corridor could be considered to be over 200m2 however the submitter does not consider it is the intention of this standard to capture access tracks for linear infrastructure.	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>Any network utility on a site that is more than 200m2 in area, <u>excluding the rail network</u>, must meet the requirements for access in the Transport chapter in standards, TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT-S6 (Manoeuvring).</li> </ol>	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Powerco Limited - Gary Scholfield	172.18	Amend	Powerco supports the intent of this objective, however it is lacking clarity as to what it is trying to achieve. Issue NU-11 states that adequate provision of network utilities is vital – as such, adding the words ‘are enabled’ is appropriate.	<p>Amend as follows:</p> <p>NU-O1: Essential role of network utilities</p> <p>Safe, effective, efficient, and resilient network utilities throughout the city, that provide essential integrated and secure services <u>are enabled</u>, including in emergencies, and enable people and communities to provide for their health, safety, and wellbeing.</p>	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Powerco Limited - Gary Scholfield	172.19	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted	Open Submission
NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Powerco Limited - Gary Scholfield	172.20	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Powerco Limited - Gary Scholfield	172.21	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Powerco Limited - Gary Scholfield	172.22	Amend	Powerco is concerned that the broad inclusion of amenity values in this policy will become problematic for network utilities as this term is very subjective.	Amend as follows:  NU-P2: Adverse effects of network utilities  Require the development, operation, maintenance, repair, upgrading, and removal of infrastructure to avoid, remedy, or mitigate adverse effects, including by:  a. avoiding, remedying or mitigating adverse effects on:  i. natural and physical resources; ii. <del>amenity values, including from</del> shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance; ...	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Powerco Limited - Gary Scholfield	172.23	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Powerco Limited - Gary Scholfield	172.24	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /	Powerco Limited - Gary Scholfield	172.25	Amend	Powerco believes that it would be beneficial to insert a statement before the start of the NU rules table to clarify what other plan provisions apply to network utilities with clear cross referencing (Similar to the Earthworks Chapter Activity Table).	Seeks to add the following text before the NU rules table: <u>As this chapter contains district-wide provisions relating to Network Utilities, the rules and standards in the zone chapters do not apply to Network Utilities (unless otherwise specified).</u>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts	Powerco Limited - Gary Scholfield	172.26	Support	Powerco supports this rule as existing network utilities need to be operated, maintained, replaced and removed as required.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	Powerco Limited - Gary Scholfield	172.27	Amend	Powerco is concerned at the requirement in NU-R2A.1 for upgrades to be within 5m of the existing alignment or location. Sometimes assets need to be relocated beyond 5m to avoid other network utilities, unsuitable ground conditions or sensitive environments. Moving an underground asset by more than 5m shouldn't trigger the need for a resource consent. Powerco is also of the view NU-R2A.3 needs to be clarified to ensure it is not incorrectly applied to underground pipelines. Powerco supports the inclusion of NU-R2A.9.	Amend as follows:  Activity Status: Permitted  Where:  <del>1. The realignment, configuration, relocation, or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets, or ancillary structures must be:</del>  <del>within 5 m of the existing alignment or location.</del> 2. ....  3. The diameter of a replacement conductor or <u>telecommunication</u> line must not exceed the diameter of the replaced conductor or <u>telecommunication</u> line or 50 mm, whichever is the greater.  .....  Retain NU-R2A.9 as drafted	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R4: Construction of new network utilities and upgrading of existing network utilities (that are not regulated by an NES) within the Airport Zone (but not within the state highway)	Powerco Limited - Gary Scholfield	172.28	Support	Powerco supports this rule - it is appropriate that new network utilities are constructed and existing assets are upgraded as required within the Airport Zone.	Retain as drafted.	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R5: 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) in all zones and precincts	Powerco Limited - Gary Scholfield	172.29	Support	Powerco supports this rule - it is appropriate that new network utilities are constructed and existing assets are upgraded as required within the National Grid Yard.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Powerco Limited - Gary Scholfield	172.30	Support	Powerco supports this rule - it is appropriate that construction of new network utilities are provided for.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R7: Construction of new underground network utilities in the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Powerco Limited - Gary Scholfield	172.31	Support	Powerco supports this rule - it is appropriate that construction of new underground network utilities are provided for in these zones.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	Powerco Limited - Gary Scholfield	172.32	Support	Powerco supports this rule - it is appropriate that temporary network utilities are provided for.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Powerco Limited - Gary Scholfield	172.33	Support	Powerco supports this rule - it is appropriate that new network utilities located within these zones are provided for as controlled activities.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R13: Buildings or structures within the National Grid Yard in all zones	Powerco Limited - Gary Scholfield	172.34	Oppose	Powerco is concerned that this rule effectively erodes the intent of rule NU-R5 as it applies to all 'structures' which has a very wide definition (and therefore would capture all network utility structures). It seems this rule should be located within the respective zone rules, not in the NU chapter.	Either delete the rule in its entirety or move it to the respective zone rules.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: SetbacksWhere adjoining residential activities	Powerco Limited - Gary Scholfield	172.35	Support	Powerco supports this standard - it is appropriate that no setbacks apply to network utilities in the road.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Powerco Limited - Gary Scholfield	172.36	Support	Powerco supports this standard - it is appropriate that no setbacks apply to network utilities in the road.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Powerco Limited - Gary Scholfield	172.37	Amend	Powerco is concerned that this standard could apply in situations where a road runs parallel to a rail corridor – and road corridor managers often require network utilities to be placed in close proximity to the road boundary (i.e. within 2m of the rail corridor).	Amend as follows: NU-S1: Setbacks Where adjoining the rail corridor boundary Purpose: to avoid, remedy, or mitigate effects on public health and safety and the functioning of the rail corridor. 1. The following minimum setbacks for network utilities from the rail corridor boundary must be provided as follows: a. any part of an above ground building or structure - 2 m. b. any part of an above ground structure located in road (including the road reserve) - nil.	Open Submission



# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S2: Height for above ground buildings	Powerco Limited - Gary Scholfield	172.38	Amend	This standard is intended to apply to buildings, not structures which are covered in NU-S3. For clarity it is suggested that the word 'structure' in this standard is deleted.	Amend as follows:  NU-S2: Height for above ground buildings  All zones and associated precincts  Purpose: to avoid, remedy, or mitigate effects of buildings on amenity, particularly in terms of visual effects and shading and effects on air traffic safety.  1. Any part of an above ground building of a network utility <del>structure</del> must not exceed the maximum permitted height stated in the condition table for the respective zone or the Airport Height Control Designation in Appendix 1. 2. ....	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Powerco Limited - Gary Scholfield	172.39	Support	Powerco supports this standard – the height for structures as contained within this standard is appropriate	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensions	Powerco Limited - Gary Scholfield	172.40	Support	Powerco supports this standard – the gross floor areas are appropriate for the specified zones.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S9: Signs	Powerco Limited - Gary Scholfield	172.41	Support	Powerco supports this standard – the signage standards are appropriate.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S10: Pipelines, cables, conductors, and lines	Powerco Limited - Gary Scholfield	172.42	Support	Powerco supports this standard – the requirements applying to pipelines are appropriate.	Retain as drafted.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S11: Removal of derelict above ground network utilities	Powerco Limited - Gary Scholfield	172.43	Support	Powerco supports this standard – the removal of derelict above ground structures (only) is considered generally appropriate.	Retain as drafted.	Open Submission
NU - Network utilities /Introduction	Ellen Robotham	198.31	Amend	Considers the introduction should recognise the Airport as a network utility, as per the definition of network utility operator under section 166 of the RMA. However, an exemption needs to be applied within this chapter which clarifies that the rules within the NU chapter do not apply to Airport Activities within the Airport Zone.	Amend the introduction to include reference to Hawke's Bay Airport as a network utility, as follows:  Network utilities are physical resources that include road and rail networks, cycleway and walkway networks, <u>airports</u> , telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, infrastructure service networks such as reticulated water, sewerage, trade waste and stormwater drainage networks, and ancillary activities including associated buildings, structures, equipment and customer connections .....  <u>The methods within the NU chapter do not apply to Airport Activities undertaken in the Airport Zone. Such activities are managed under the Airport Zone chapter.</u>	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Objectives /NU-01: Essential role of network utilities	Ellen Robotham	198.32	Support	<p>HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke's Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-02: Adverse effects of network utilities	Ellen Robotham	198.33	Support	<p>HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke's Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-03: Adverse effects on network utilities	Ellen Robotham	198.34	Support	<p>HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke's Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	Retain as notified.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Ellen Robotham	198.35	Support	<p>HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke’s Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	Retain as notified.	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Ellen Robotham	198.36	Amend	<p>Considers it is imperative that infrastructure is protected from incompatible land use activities, including reverse sensitivity effects. Such matters are further elaborated on in the Noise chapter of the PDP. Subparagraph (e) requires further amendment to ensure that that physical obstructions within the obstacle limitation surfaces for Hawke’s Bay Airport are avoided in all zones, not just the Airport Zone. HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke’s Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	<p>Retain as notified, subject to the following amendment:</p> <p>(e) avoiding <del>physical obstructions within the Airport Zone buildings, structures and vegetation establishing within the</del> <u>obstacle limitation surfaces for Hawke’s Bay Airport.</u></p>	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /	Ellen Robotham	198.37	Amend	<p>Considers it is appropriate for the NU chapter to signal to plan users that some network utilities are managed under a designation. The amendments are required to the NU chapter to ensure that the methods do not inadvertently capture Airport Activities that are managed under the Airport Zone, thus creating a duplication of controls and consenting requirements. HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke's Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. Generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities, however Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	<p>Amend to more explicitly exclude Airport Activities as follows:</p> <p>Network utilities may be exempt from rules because they operate under designations or national environmental standards, such as the National Environmental Standards for Electricity Transmission Activities (2009) or the National Environmental Standards for Electricity Telecommunication Facilities (2008). Reference should be made to the Ministry for the Environment website for the latest version of any relevant National Environmental Standards.</p> <p><u>The methods within the NU chapter do not apply to Airport Activities undertaken in the Airport Zone. Such activities are managed under the Airport Zone chapter.</u></p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R4: Construction of new network utilities and upgrading of existing network utilities (that are not regulated by an NES) within the Airport Zone (but not within the state highway)	Ellen Robotham	198.38	Oppose	<p>Airport activities, including upgrades, are managed by the Airport Zone provisions and therefore this rule is not necessary. Other network utilities not captured by the definition of Airport Activity can be provided for by NU-R1, NU-R2, and NU-R6 with consequential amendment. HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke's Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space. HBAL generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities.</p> <p>HBAL submits however, that Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.</p> <p>It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).</p>	Delete NU-R4.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Ellen Robotham	198.39	Amend	Seeks a consequential amendment to a previous submission point.HBAL is a lifeline utility under the Civil Defence Emergency Management Act 2002. Cyclone Gabrielle highlighted the essential role of HBAL as a Lifeline Utility, with flood waters obstructing and causing significant damage to land transport networks. The Airport became the base for search and rescue teams, the link to the outside, source of generators, communications etc. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Hawke’s Bay Airport and the need for more robust access to the airport terminal and greater provision of apron space.HBAL generally support the intent of this chapter and provisions which appropriately recognise the essential role of network utilities and enable the ongoing operation and development of network utilities. HBAL submits however, that Airport Activities within the Airport Zone should be managed through the designation and zone chapters, rather than the NU rules. An exclusion to this effect should therefore be included within the NU chapter.It is appropriate to limit the exclusion to Airport Activities within the Airport Zone only, as some airport activities occur beyond the Airport Zone (such as weather stations and navigational aids).	Amend as follows:  NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in <del>NU-R4 (within the Airport Zone) and</del> NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Georgina McPherson	215.29	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain NU-O1 as notified.	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Georgina McPherson	215.30	Amend	The Fuel Companies support the intent of this objective and seek that it be retained with minor amendment.	Retain NU-O2 as notified.	Open Submission
NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Georgina McPherson	215.31	Support	The Fuel Companies support the intent of this objective and seek that it be retained.	Retain NU-O3 as notified.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Georgina McPherson	215.32	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P1 as notified.	Open Submission
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Georgina McPherson	215.33	Support	The Fuel Companies support the intent of this policy. However, the ability for infrastructure to avoid, remedy or mitigate adverse effects must be considered in the context of the functional and operational needs of infrastructure, which can limit the ability to manage certain adverse effects. This is appropriately recognised in objective NU-O2, to which this policy relates, and is a critical matter that should be carried through to the associated policy NU-P2.	Amend NU-P2 to ensure the ability to manage adverse effects associated with infrastructure is considered in the context of the functional and operational needs of that infrastructure. This could be achieved by making the following changes or changes to the same effect:  NU-P2: Adverse effects of network utilities ... e. encouraging the removal of redundant and superseded above ground network utility facilities. .... <u>while recognising the extent to which adverse effects can be avoided may be constrained by the functional or operational needs of the infrastructure.</u>	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Georgina McPherson	215.34	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P3 as notified.	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Georgina McPherson	215.35	Support	The Fuel Companies support the intent of this policy and seek that it be retained.	Retain NU-P4 as notified.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1: Operation, maintenance, replacement, and removal of existing network	Georgina McPherson	215.36	Amend	<p>The Fuel Companies support the intent of rule NU-R1 and seek that it be retained. For certainty, it is considered the rule should specifically provide for 'repair' of existing network utilities, which would have the same effect as, but not necessarily fall to be considered as 'maintenance' or 'replacement' works. The permitted rule is subject to compliance with standards NU-S1 to NU-S11. The Fuel Companies are concerned that some existing network utility activities will be non-compliant when undertaking replacement, repair and removal works in accordance with the boundary setbacks in standard NU-S1. NU-S1 gives no consideration to whether or not the activity is in relation to an existing or new structure. For the avoidance of doubt the Fuel Companies seek that a clarification is added that this setback does not apply to existing lawfully established activities. This could be achieved by deleting the requirement for activities undertaken in accordance with NU-R1 to comply with NU-S1.</p> <p>The default to restricted discretionary activity status (rule NU-R1B), and the associated matters of discretion, for activities that do not meet the permitted activity requirements is supported.</p>	<p>Amend NU-R1 to clarify that it applies to 'repair' of existing network utilities as well as operation, maintenance, replacement and removal. This could be achieved by making the following changes:</p> <p>NU-R1: Operation, maintenance, replacement, <u>repair</u> and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts</p> <p>NU-R1A Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity complies with relevant standards (NU-S1 NU-S2–NU-S11), and</li> <li>2. ...</li> </ol>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	Georgina McPherson	215.37	Amend	<p>The Fuel Companies support the general intent of rule NU-R2A but consider it is unnecessary and inappropriate to restrict the scope of the rule to electricity, gas or telecommunications equipment. The effects of minor upgrades to existing wharflines and bunkerlines (petroleum distribution networks) are essentially the same as those associated with the minor upgrade of other underground network utility pipes. These activities should be treated equally in the Proposed Plan, to ensure timely upgrades, including for safety and efficiency purposes, the realignment, reconfiguration or relocation of petroleum pipelines at the port and along their length to the Terminals can occur. See full submission for greater detail.</p>	<p>Amend NU-R2 to clarify that it applies to petroleum distribution pipes, and to provide clarity around the scope of replacement pipes that will fall to be considered as 'minor upgrading'. This could be achieved by making the following changes or changes to the same effect:</p> <p>NU-R2A</p> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The realignment, reconfiguration, relocation, or replacement of electricity, <u>petroleum</u> and gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets, or ancillary structures must be:</li> <li>9. The diameter of above ground or below ground replacement pipes must not exceed the diameter of the replaced pipe by more than 300 mm.</li> </ol>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Georgina McPherson	215.38	Support	<p>The Fuel Companies support the intent of rule NU-R6 and seek that it be retained.</p>	<p>Retain NU-R6 as notified.</p>	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	Georgina McPherson	215.39	Amend	<p>Public charging infrastructure plays a critical role in enabling the uptake in electric vehicles (EVs). The Fuel Companies support a permitted activity rule for EV charging facilities. However, it is not clear that this rule applies to EV charging facilities at services stations as:</p> <ul style="list-style-type: none"> <li>• Service station operators are not typically network utility operators such that it is unclear whether they will be able to rely on a rule relating to electric vehicle charging facilities that is located within the network utilities chapter.</li> <li>• Existing services stations will have vehicle parking; however, depending on the layout of each site, new spaces may be created for electric vehicle charging, which would not fall to be considered as existing or consenting parking spaces.</li> <li>• The term vehicle depot is not defined in the plan, nor is it used in any other provisions – the only other reference is in the definition of port related activities.</li> <li>• The term ‘garage’ is not defined in the plan. Service stations are colloquially referred to as garages, however it is not clear that the plan intends this interpretation.</li> </ul>	<p>Amend NU-R10 to ensure electric vehicle charging facilities at service stations are provided for on the same basis as electric vehicle charging facilities currently subject to Rule NU-R10. This could be achieved by making the following changes or changes to the same effect:</p> <p>NU-R10A Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity is installed in association with an existing permitted or consented vehicle park, vehicle depot, <u>service station</u> or garage structure;</li> <li>2. The activity complies with standards (NU-S1 – NU-S11);</li> <li>3. The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), and</li> <li>4. The activity is not within the National Grid Yard.</li> <li>5. For the purposes of this rule, the operator of the electric vehicle charging facility is not required to be a network utility operator as defined in the RMA.</li> </ol> <p>OR</p> <p>As an alternative to proposed new clause 5 above, the wording of the definition of Network Utility Operator used in the Proposed Plan could be amended to specify that for the purposes of this</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R14: Activities not otherwise provided for (that are not regulated by an NES)	Georgina McPherson	215.40	Support	The Fuel Companies support the intent of rule NU-R14 and seek that it be retained.	Retain NU-R14 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Georgina McPherson	215.41	Amend	<p>Fuel Companies seek that a clarification is added that this setback does not apply to existing lawfully established activities. This could be achieved by deleting the requirement for activities undertaken in accordance with NU-R1 to comply with NU-S1. The Fuel Companies support the matters of discretion. The Fuel Companies support the intent of this standard for new network utilities, however, note that it will mean that some existing network utility activities will be non-compliant when undertaking replacement, repair and removal works under NU-R1. NU-S1 gives no consideration to whether or not the activity is in relation to an existing or new structure.</p>	<p>Amend NU-R1 to ensure the operation, maintenance, replacement and removal of existing network utilities does not have to comply with the boundary setback requirements contained in NU-S1. This could be achieved by making the following changes or changes to the same effect:</p> <p>NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts</p> <p>NU-R1A Activity Status: Permitted</p> <p>Where:</p> <p>The activity complies with relevant standards (<del>NU-S1-NU-S2</del>– NU-S11), and ...</p>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Georgina McPherson	215.42	Support	The Fuel Companies support the intent of standard NU-S1.2 and seek that it be retained	Retain NU-S1.2 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Georgina McPherson	215.43	Amend	<p>There is a numbering error in NU-S3.5 relating to the height of above ground structures in the commercial, mixed use, and rural zones, whereby the height threshold of 20m is preceded by a ‘1’ rather than an ‘a’, as per the format used in all other clauses. This creates the potential for misinterpretation that the height limit is set at 1.20m rather than 20m. This editorial error should be corrected.</p>	<p>Amend NU-S3.5 to correct the editorial error in numbering, as follows:</p> <p>5. Any part of an above ground structure (other than buildings), including aerials, must not exceed a height</p> <p>of:</p> <p><del>1.20 m.</del></p> <p>a. 20m</p>	Open Submission

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Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensions	Georgina McPherson	215.44	Support	Support this provision. NU-S4(2) setting a permitted activity threshold for EV charging facilities of 3m2 is accepted as reasonable.	Retain NU-S4 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S8: Parking and access	Georgina McPherson	215.45	Oppose	Standard NU-S8 requires that any network utility on a site that is more than 200m2 in area, must meet standards TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT- S6 (Manoeuvring) in the Transport chapter. For the Fuel Companies, the implication would be that any proposal to install EV charging facilities at an existing service station or to undertake maintenance or repair work to the existing wharflines / bunkerlines where they are located within the Terminal sites, would trigger the need to consider compliance with vehicle access and manoeuvring requirements. That is inappropriate in the context of existing activities where the 'network utility' is an ancillary component of the overall activity, and where there are established vehicle accesses and manoeuvring areas.	Amend NU-S8 to clarify that the parking and access standards in the Transport chapter apply only to those network utilities that are permanently staffed, consistent with the stated purpose of the rule, and to avoid inappropriate regulation of established facilities on large sites where the 'network utility' is ancillary to or incidental to the primary activity. This could be achieved by making the following changes or changes to the same effect:  NU-S8: Parking and access  All zones and associated precincts  Purpose: to ensure safe and efficient access and sufficient onsite parking is provided where network utilities are permanently staffed.  <u>1. Any network utility with a requirement for permanent staff that is distinct to the staffing needs of other activities on the site, on a site that is more than 200 m2 in area, must meet the requirements for access in the Transport chapter in standards, TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)), and TPT-S6 (Manoeuvring).</u>	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S10: Pipelines, cables, conductors, and lines	Georgina McPherson	215.46	Support	The Fuel Companies support the intent of this standard.	Retain NU-S10 as notified	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S11: Removal of derelict above ground network utilities	Georgina McPherson	215.47	Support	The Fuel Companies support the intent of this standard and seek that it be retained.	Retain NU-S11 as notified.	Open Submission
NU - Network utilities /Assessment Criteria /General	Georgina McPherson	215.48	Support	The Fuel Companies are generally supportive of the Network Utility Assessment Criteria and seek that they are retained.	Retain NU-AC1 to NU-AC12 as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	Shravan Miryala	217.8	Amend	Supports a permitted activity rule for EV charging facilities as public charging infrastructure is vital for EV uptake. However, considers that it is not clear that this rule applies to EV charging facilities at services stations as: Seeks specific reference to "service stations" under the rule to avoid confusion and clarifies that EV charging facilities may be operated by parties other than "network utility operators." Considers that references to standards NU-S12 and NU-S13 regarding radio frequency and electric/magnetic fields are irrelevant to EV charging facilities and should be deleted. Supports the default to restricted discretionary activity status for activities not meeting permitted activity requirements, along with associated matters of discretion.	Amend NU-R10A to ensure electric vehicle charging facilities at service stations are provided for on the same basis as electric vehicle charging facilities currently subject to Rule NU-R10. This could be achieved by making the following changes or changes to the same effect:  NU-R10A Activity Status: Permitted Where:  1. The activity is installed in association with an existing permitted or consented vehicle park, vehicle depot, <u>service station</u> or garage structure;  2. The activity complies with standards (NU-S1 – NU-S11);  <del>3. The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), and</del>  4. The activity is not within the National Grid Yard.  5. For the purposes of this rule, the operator of the electric vehicle charging facility is not required to be a network utility operator as defined in the RMA.  OR	Open Submission



# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	Shravan Miryala	217.9	Support	Supports the intent of Rule NU-R10B and seeks that it be retained.	Retain NU-R10B as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Amelia Longley	222.129	Amend	Open Space Zones have been referenced incorrectly.	Amend as sought... <del>Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones</del> Open Space and Recreation Zones, and Stadium Zone.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R7: Construction of new underground network utilities in the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Amelia Longley	222.130	Amend	Open Space Zones have been referenced incorrectly.	Amend as sought  ... <del>Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones</del> Open Space and Recreation Zones, and Stadium Zone.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Amelia Longley	222.131	Amend	Open Space Zones have been referenced incorrectly.	Amend as sought  ... <del>Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones</del> Open Space and Recreation Zones, and Stadium Zone.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Amelia Longley	222.132	Amend	Open Space Zones have been referenced incorrectly.	Amend as sought. <del>Estuary, Foreshore Reserve, Reserve and River Conservation Zones</del> Open Space and Recreation Zones, and Stadium Zone and associated Precincts.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /General	Angela Jones	240.5	Amend	Seeks the inclusion of the definition of 'customer connection' to be sought, as the proposed rules for network utilities do not explicitly permit lines extending from the road to customers houses.	Seeks consequential changes to the Network Utilities chapter for the inclusion of 'customer connection' as a permitted activity.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	Angela Jones	240.6	Oppose	Seeks that NU.R2A.1(a) be amended to remove the requirement for any new electricity structures, including lines, be within 5m of the existing alignment or location. Notes that the submitter's infrastructure will often need to be relocated beyond 5m to avoid other network utilities, unsuitable ground conditions or sensitive environments. Considers it unreasonable to require a resource consent for moving any of its infrastructure by more than 5m.	Delete condition NU.R2A.1	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Angela Jones	240.7	Oppose	Seeks that NU-R6A.2 be deleted to remove the requirement that electrical lines be underground in all zones (except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones). Opposes as it is unclear why it is necessary for lines to be underground in zones such as the Rural Zone which cover large areas of the city, in which it is not practical to underground all new lines. Notes that Standard NU-S3 includes permitted heights for above ground structures, and therefore this is the appropriate method to be used to control the effects of above-ground structures.	Delete condition NU-R6A.2	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	Angela Jones	240.8	Amend	Seeks specific reference to poles as being permitted to provide clarity of the necessary setback for a key electricity distribution structure.	Amend NU-S1.1(d) and NU-S1.2(2) to include 'poles'	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensionsAll zones and associated precincts	Angela Jones	240.9	Oppose	Seeks the gross floor area limits in NU-S4.1 be increased. Opposes as the limits as currently proposed would require submitter to obtain resource consent for substations and other above ground buildings and structures. Notes concern with the 10m2 GFA limit for buildings and structures in road reserves as this is a primary location for the submitters infrastructure throughout the city. This condition does not have regard for the specific location of the road reserve (i.e.: what the adjoining zone is).	Amend NU-S4.1 to increase the gross floor area limits for any above ground building or structure	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S10: Pipelines, cables, conductors, and linesAll zones and associated precincts	Angela Jones	240.10	Oppose	Opposes as it is unclear why these conditions are required as they do not appear to relate to the effects listed in the Matters of Discretion under NU-S10. The standard will require the submitter to obtain resource consent for most of its lines that cross a waterbody. Seeks the deletion of conditions NU-S10.2 and NU-S10.3	Delete conditions NU-S10.2 and NU-S10.3	Open Submission
NU - Network utilities /Introduction /	Trevor Ellis	253.31	Amend	The introduction to the Network Utilities chapter includes in the third paragraph that the District Plan will provide for the establishment, operation, and maintenance of network utilities throughout the region while managing adverse effects on the environment.Considers that while there is a forthcoming Ecosystems and Indigenous Biodiversity chapter, there should be strict mention of the need to avoid, remedy, and minimise adverse effects instead.	seeks to amend the third paragraph of the Network Utilities chapter as follows:  To achieve this, the network utility provisions in the District Plan provide for the establishment, operation, and maintenance of network utilities throughout the district while <u>avoiding, minimising, and remedying</u> managing their adverse effects on the environment  (particularly in sensitive environments such as the coastal environment, outstanding and significant landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazards). As many network utilities are lineal and traverse many parts of the district, it is considered appropriate that a single set of rules be provided that apply across the District.	Open Submission
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Trevor Ellis	253.32	Support	considers that avoid, remedying, and mitigating adverse effects on natural and physical resources assists in the implementation of the Act, NZCPS and NPS-IB.	Retain as notified.	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Trevor Ellis	253.33	Amend	NU-P3 lists several protected areas and sites of significance but does not include the coastal environment.Considers that the coastal environment and special character landscapes, which includes the Ahuriri Estuary, are sensitive environments that house significant indigenous and migratory fauna and significant indigenous flora. The sensitive nature of these environments is stated in their respective chapters of CE and AESZ in the proposed Plan. These areas are vulnerable to adverse effects from network utilities and should have special precaution taken when approaching the establishment, operation, and maintenance.	seeks to amend NU-P3 as follows or with similar wording:  1. Manage the adverse effects of upgrades to and development of new network utilities on: a. outstanding natural features and significant landscapes; b. significant natural areas; c. sites of significance to Māori; and d. historic heritage areas, heritage items, and notable trees; e. Indigenous biodiversity and f. coastal environment,while recognising the extent to which adverse effects can be avoided or may be constrained by a network utility's functional or operational need	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	Trevor Ellis	253.34	Amend	considers that temporary structures for network utilities can have significant adverse effects despite the short term that they stand. NU-P2 and NU-P3 should be added as requirements that must be adhered to for the activity to be permitted.	seeks to add policies NU-P2 and NU-P3 under NU-R11A as matters of discretion.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	Trevor Ellis	253.35	Amend	considers that temporary structures for network utilities can have significant adverse effects despite the short term that they stand. NU-P2 and NU-P3 should be added as matters of discretion that must be adhered to for the activity to be permitted.	seeks to amend NU-R11B so that if NU-P2 and/or NU-P3 are not met the Activity Status is Discretionary.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R12: New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)	Trevor Ellis	253.36	Amend	The Introduction to the Network Utilities chapter stated that particular care should be taken for the establishment of network utilities in environments such as the target of Rule 12A. considers that the activity status of the rule should reflect the intention of the introduction and be changed to Restricted Discretionary.  Matters of control, or now matters of discretion, should be expanded to include impacts on ecosystems and indigenous biodiversity.	1. seeks to amend activity status of NU-R12A from Controlled to Restricted Discretionary. 2. seeks to amend matters of control/discretion to include impacts on ecosystems and indigenous biodiversity and natural character.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	Trevor Ellis	253.37	Amend	considers that matters of discretion for "Estuary, Foreshore Reserve, Reserve and River Conservation Zones and associated Precincts" should include effects on indigenous biodiversity considering the purpose of the zones and areas.	seeks to add to the matters of discretion "effects on indigenous biodiversity" to "Estuary, Foreshore Reserve, Reserve and River Conservation Zones and Associated Precincts"	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S7: Light spill	Trevor Ellis	253.38	Amend	considers that any light spill that occurs in an area of significant indigenous biodiversity or habitat of indigenous biodiversity should require a lower lux spill to ensure the wellbeing and safety of light sensitive fauna such as long-tailed bats.	seeks to amend the standard to include a lower lux requirement to protect indigenous biodiversity.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Leanne Roberts	257.21	Support	HortNZ supports that network utilities are not compromised by incompatible activities.	Seeks to retain NU-O3.	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Leanne Roberts	257.22	Amend	Considers the objective sought that network utilities are not compromised by incompatible activities, but the policy seeks to 'protect' network utilities. The policy should implement the objective. Clause f and h duplicate provisions for electricity distribution lines. There are no specific rules for activities near electricity distribution lines so it should be clear that the policy is achieved through NZECP34:2001.	Seeks to amend NU-P4 to read: <del>Protect</del> <u>Ensure that</u> network utilities are not compromised by the adverse effects of subdivision use and development that may constrain or compromise the safe and effective, secure and efficient operation ...  Seeks to delete clause h  Amend clause g) by adding: through compliance with NZECP34:2001	Open Submission
NU - Network utilities /Policies /NU-P6: Adverse effects of the National Grid Yard and National Grid Corridor	Leanne Roberts	257.23	Amend	In the rural areas the National Grid should seek to avoid to the extent reasonably possible adverse effects on highly productive land.	Seeks to amend NU-P6 d) by adding:  <u>And to the extent reasonably possible adverse effects on highly productive land.</u>	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R13: Buildings or structures within the National Grid Yard in all zones	Leanne Roberts	257.24	Support	HortNZ supports the provisions for artificial crop protection structures in 5c)	Seeks to retain NU- R13A 5 c)	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /General	Nichola Nicholson	264.18	Amend	Considers it important to amend the definition of network utilities so that small-scale monitoring devices and structures are permitted in all zones.	Amend PDP to allow (permit) the use and development of land for small-scale environmental monitoring devices and associated earthworks and structures.	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.20	Oppose	Opposes Objective NU-O2: Adverse effects of network utilities as the addition of the words 'recognition of functional and operational needs' helps to create a balance of assessment.	Amend Objective NU-O2: Adverse effects of network utilities as follows:  The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, <del>as far as is practicable</del> , while recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements).	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.22	Oppose	Opposes NU - Network utilities Policy NU-P3: Adverse effects of network utilities on protected areas and sites of significance as the policy should explicitly refer to heritage Precincts and Overlay areas. It is unclear whether 'Historic Heritage Areas' and 'Heritage Character Areas' are intended to apply to these areas. Historic heritage places / areas are referred in sub-sections 1 and 2. The reference to 'Heritage Character Areas' should be deleted; alternatively section 1 may be amended to refer to 'Historic Heritage Items' and change section 2 to refer to 'Heritage Overlays and Precincts'.	Amend NU-P3: Adverse effects of network utilities on protected areas and sites of significance as follows:  1. Manage the adverse effects of upgrades to and development of new network utilities on: a. outstanding natural features and significant landscapes; b. significant natural areas; c. sites of significance to Māori, and d. <u>The values of historic heritage areas overlays and precincts</u> , heritage items, and notable trees.  2. Manage the 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: a. high natural character areas; b. <del>heritage character areas</del> and c. significant amenity features	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.23	Oppose	Opposes NU - Network utilities NU-R6: Construction of new network utilities (that are not regulated by an NES) not already provided for in NU-R4 (within the Airport Zone) and NU-R5 (within National Grid Yard) in all zones and precincts, except the Estuary, Foreshore Reserve, Reserve and / or River Conservation Zones) as despite general text and policies that refers to managing effects on heritage, this is not reflected in the Rule structure. In particular, proposed rules do not give effect to policy NU-P3. The location of works within or close to scheduled heritage items and heritage precincts/overlays generally do not trigger resource consent, with some limited exceptions. New network facilities have the potential to create significant adverse effects on heritage values, and should be controlled by way of district plan rules and standards.	Amend NU-R6A as follows:  <u>4. The activity is not within a site containing Historic Heritage as identified in Schedule 3, or within a heritage precinct or overlay as identified in Schedule 4.</u>  Activity Status where activity conditions 1 or 2 or <u>4</u> are not met: Restricted Discretionary Matters of discretion are restricted to:  <u>5. Effects on historic heritage values</u>	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Issues /NU-I1: Essential role of network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.25	Support	Supports the policies as worded as they provide for the essential role of network utilities and the impact other activities can have on the effective and efficient operation, maintenance and development of network utilities.	Retain as notified	Open Submission
NU - Network utilities /Issues /NU-I3: The impact of activities on network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.26	Support	Supports the policies as worded as they provide for the essential role of network utilities and the impact other activities can have on the effective and efficient operation, maintenance and development of network utilities.	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.27	Support	Supports objectives NU-O1 and NU-O2. Supports NU-O1 as it recognises and promotes the need for network utilities to be resilient, particularly where they provide a lifeline function. Considers NU-O2 recognises the need to protect network utilities against reverse sensitivity effects. Notes that the regional state highway network provides a critical role in connecting communities to hospitals, airports, petrol stations and supermarkets both after natural hazards and during day-to-day life.	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.28	Support	Supports objectives NU-O1 and NU-O2. Supports NU-O1 as it recognises and promotes the need for network utilities to be resilient, particularly where they provide a lifeline function. Considers that NU-O2 recognises the need to protect network utilities against reverse sensitivity effects. Notes that the regional state highway network provides a critical role in connecting communities to hospitals, airports, petrol stations and supermarkets both after natural hazards and during day-to-day life.	Retain as notified.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.29	Support	Supports policy NU-P1 as it recognises the functional role that network utilities, including state highways, provide in supporting the day to day lives of communities.	Retain as notified	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.30	Amend	Seeks the inclusion of protecting the national, regional and arterial road network from noise	Amend as below: b. managing new activities that are sensitive to noise adjoining the railway corridor, <del>the</del> and the national, regional and arterial road network (or similar)	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R1: Operation, maintenance, replacement, and removal of existing network utilities (that are not regulated by an NES) in all zones and precincts	NZ Transport Agency Waka Kotahi Kelsey Watson	277.31	Support	Supports rule NU-R1 as it allows for the operation, maintenance of an existing network utility.	Retain as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R8: Construction of new cycleways or walkways within roads and reconstruction (including realignment or widening) of existing cycleways or walkways within roads in all zones and precincts	NZ Transport Agency Waka Kotahi Kelsey Watson	277.32	Support	Supports rule NU-R8 as it enables the construction of cycleways and walkways within roads to encourage travel by active modes.	Retain as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	NZ Transport Agency Waka Kotahi Kelsey Watson	277.33	Support	Supports rule NU-R10 as it enables the installation of charging infrastructure to support electric vehicles. Considers encouraging this infrastructure will support transitioning the transport sector to more environmentally friendly vehicles.	Retain as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	NZ Transport Agency Waka Kotahi Kelsey Watson	277.34	Support	Supports S1 as roads (including road reserve), cycleways and walkways do not require a setback from adjoining residential activities.	Retain as notified	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S5: Sight distances	NZ Transport Agency Waka Kotahi Kelsey Watson	277.35	Support	Supports standard NU-S5 as it ensures the safety, efficiency and functions of the road network, including state highways, is not affected. Notes that the Code of Practice for Subdivision and Land Development prescribes sightline safety requirements that align with the NZTA standards.	Retain as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S6: Noise and vibration	NZ Transport Agency Waka Kotahi Kelsey Watson	277.36	Amend	Oppose in part the intent of standard NU-S6. Noise limits for construction work are generally set within designation conditions for road projects. Notes that most projects adopt one of the sets of suggested limits from New Zealand Standard NZS 6803:1999 Acoustics – construction noise. Submitter manages and minimises potentially unreasonable noise effects during construction activities (as far as practicable) in accordance with this standard.	Excludes construction or maintenance works on state highways as NZTA need to comply NZS 6803:1999 Acoustics – construction noise standards anyway.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S7: Light spill	NZ Transport Agency Waka Kotahi Kelsey Watson	277.37	Support	Supports standard NU-S7 as it manages the effects of light spill and glare on roads.	Retain as notified.	Open Submission
NU - Network utilities /NU - Network Utilities - Standards Table /NU-S9: Signs	NZ Transport Agency Waka Kotahi Kelsey Watson	277.38	Support	Supports standard NU-S9 as it has the potential to manage the safety effects of network utility signs on the state highway network.	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	Alec Duncan	288.19	Support	Has a specific interest in the provision of water supply distribution systems and transport networks due to their essential role in facilitating an effective and efficient emergency response. As such, Fire and Emergency supports NU-O1 insofar that the objective requires network utility operators to provide safe and resilient network utilities that provide essential and secure services, including in emergencies, that enable people and communities to provide for their health, safety, and wellbeing. This would include firefighting water supply and access within and along the transport network so Fire and Emergency can respond in an emergency.	Retain as notified.	Open Submission
NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	Alec Duncan	288.20	Support	Supports NU-O3 insofar that the objective requires that network utilities are not compromised by incompatible subdivision, land use, or development. It is important that any new subdivision, land use or development is assessed based on its ability to be serviced by the reticulated water supply network as well as the transport network to enable Fire and Emergency to operate effectively and efficiently in an emergency.	Retain as notified.	Open Submission
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Alec Duncan	288.21	Support	Has a specific interest in the provision of water supply distribution systems and transport networks due to their essential role in facilitating an effective and efficient emergency response. As such, Fire and Emergency supports NU-P1 insofar that the policy recognises the importance and benefits of network utilities, including as lifeline utilities during an emergency. This includes the water supply and transport network which facilitate Fire and Emergency operations. Fire and Emergency specifically support providing flexibility for network utilities to adopt new technologies that improve access to and efficient use of networks and services, allowing increased resilience, safety, reliability, or result in environmental benefits and enhancements where these can benefit emergency response activities.	Retain as notified.	Open Submission
NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	Alec Duncan	288.22	Amend	Supports NU-P4 insofar that the policy requires the protection of network utilities from the adverse effects of subdivision, land use, or development. It is important that any new subdivision, land use, or development is assessed based on its ability to be serviced by the reticulated water supply network and that this does not constrain or compromise the level of service available for firefighting for existing activities. This would also include the management of adverse effects on the transport network where development could compromise the ability for Fire and Emergency to effectively and efficiently respond in a fire or other emergency. Fire and Emergency therefore request amendments to reflect this.	Add new and amend as follows:  NU-P4: Adverse effects on network utilities ... c. managing access to the railway corridor and to the national, regional, and arterial <u>and local</u> road network; ... <u>i. managing connections to Council's reticulated water supply network by ensuring there is sufficient firefighting capacity available for the proposed activity.</u>	Open Submission
NU - Network utilities /General /General	Dr. Chantal Pagel Natasha Sitarz	289.34	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters.  Include provisions for infrastructure that is not a "network utility", "renewable energy generation", "Stormwater" or "transport".  Rename the section heading or change section names to Energy, Infrastructure and Transport.	Open Submission
NU - Network utilities /General /General	Dr. Chantal Pagel Natasha Sitarz	289.34	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters. Include provisions for infrastructure that is not a "network utility", "renewable energy generation", "Stormwater" or "transport". Rename the section heading or change section names to Energy, Infrastructure and Transport.	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Introduction /General	Dr. Chantal Pagel Natasha Sitarz	289.36	Amend	Considers not all network utilities provide critical services as lifeline utilities nor are all network utilities recognised as nationally significant with specific provision for them under a national policy statement. Where the plan is more stringent than the NESETA or NESTF regulations the plan should apply over the NES. This is necessary to ensure effects are managed in accordance with the district plan for Napier.	Seeks clarification of the scope of the chapter and to distinguish between network utilities that are lifeline utilities and those that are not.  Include a definition for critical infrastructure/lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.  Amend the section on Introduction to explain that where the plan has more stringent provisions those provisions apply over the NESETA or NESTF.	Open Submission
NU - Network utilities /Introduction /General	Dr. Chantal Pagel Natasha Sitarz	289.36	Amend	Considers not all network utilities provide critical services as lifeline utilities nor are all network utilities recognised as nationally significant with specific provision for them under a national policy statement. Where the plan is more stringent than the NESETA or NESTF regulations the plan should apply over the NES. This is necessary to ensure effects are managed in accordance with the district plan for Napier.	Seeks clarification of the scope of the chapter and to distinguish between network utilities that are lifeline utilities and those that are not.  Include a definition for critical infrastructure/lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.  Amend the section on Introduction to explain that where the plan has more stringent provisions those provisions apply over the NESETA or NESTF.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities Safe, effective, efficient, and resilient network utilities throughout the city, that provide essential integrated and secure services, including in emergencies, and enable people and communities to provide for their health, safety, and wellbeing.	Dr. Chantal Pagel Natasha Sitarz	289.37	Amend	Considers the objective should clarify what essential services are in terms of lifeline utilities.	Seeks to amend the objective to address "lifeline utilities" and add a definition of lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.	Open Submission
NU - Network utilities /Objectives /NU-O1: Essential role of network utilities Safe, effective, efficient, and resilient network utilities throughout the city, that provide essential integrated and secure services, including in emergencies, and enable people and communities to provide for their health, safety, and wellbeing.	Dr. Chantal Pagel Natasha Sitarz	289.37	Amend	Considers the objective should clarify what essential services are in terms of lifeline utilities.	Seeks to amend the objective to address "lifeline utilities" and add a definition of lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.	Open Submission
NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, as far as is practicable, while recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements).	Dr. Chantal Pagel Natasha Sitarz	289.38	Amend	Considers the objective as proposed to be inconsistent with the NZCPS and the RMA. As an outcome, an objective that "avoided, remedied, or mitigated, as far as is practicable," is uncertain as to the extent of adverse effects on the environment not be addressed by avoidance, remediation or mitigation. While it may be appropriate in some cases to only avoid adverse effects "as far as practicable" there are cases where adverse effects are to be avoided or significant adverse effects are to be avoided and other effects avoided, remedied and mitigated, such as under the NZCPS. The recognition of functional and operational needs for "strategic network utilities" (as captured by the RPS definition of Strategic Infrastructure) is for strategic integration of infrastructure with land use, rather than as a consideration for interpreting adverse effects on the environment as this objective suggests. This broader consideration could be captured in policy rather than an objective. Any specific recognition of constraints in terms of adverse effects on the environment should be limited to the NPSET at the policy level (NPSET Policy 4). The objective as proposed may conflict with the ECO and NH chapters reducing the effectiveness of provisions for achieving the purpose of the Act.	Amend as follows:  The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, as far as is practicable, while recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements).  Consider including a new policy:  "Recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements) in managing land use, subdivision and development activities."	Open Submission

# NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /Policies /NU-P1: Essential role of network utilities	Dr. Chantal Pagel Natasha Sitarz	289.39	Amend	Considers specific provision should be made for lifeline utilities separate to other utilities. The provision as worded may be inconsistent with the NZCPS and could conflict with the ECO chapter provisions. The policy needs to be clarified to ensure that provision for activities is in the context of avoiding, remedying and mitigating adverse effects on the environment. It is unclear how this policy for “network utilities” relates to NU-P2 for “infrastructure” due to the use of different terminology. For the reason provided in the submission point for NU-O2 recognising functional and operational needs should be specific to strategic network utilities as captured by the RPS definition of Strategic infrastructure”.	Delete.  Or amend clauses (a) and (b):  a. <del>enabling providing for the effective and reasonable</del> operation, maintenance, repair, minor upgrade and removal of network utilities throughout the city, <u>while managing adverse effects on the environment;</u> b. providing for upgrades to, and the development of, new network utilities <u>where adverse effects on the environment can be avoided, remedied or mitigated;</u>  Amend:  d. recognising the functional and operational needs of <u>strategic network utilities.</u>	Open Submission
NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	Dr. Chantal Pagel Natasha Sitarz	289.40	Amend	Considers the policy to “avoid, remedy or mitigate” is appropriate to leave scope for other chapters to provide further direction on effects management. However, the policy fails to capture direction from the NPSET for substantial upgrades to be used as opportunity to reduce existing adverse effects (NPSET Policy 6)	Seeks to retain and amend to add opportunities to reduce existing adverse effects  .Add a note or addition to the policy to make clear that the provisions of other chapters (e.g. ECO, NFL, CE, SOSM) will be relevant, and that those more topic- specific provisions should prevail.	Open Submission
NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	Dr. Chantal Pagel Natasha Sitarz	289.41	Oppose	While specific policy direction on significant sites maybe useful, the management of effects on those sites should be as set out in the chapters identifying these sites, eg the ECO, NFL, CE and SOSM chapters. Effects on significant natural areas (SNAs) should be managed in accordance with the ECO chapter which is not included at this time. It is unclear how these provisions can be applied in the absence of that chapter and plan provisions for the identification of SNAs. The policy focus on upgrades and new development would exclude consideration of adverse effects of operation and maintenance activities. The relationship with NU-P2 is uncertain. Overall the policy does not appear to be needed as Policy NU-P2 provides direction on effects management.	Delete.	Open Submission
NU - Network utilities /Policies /NU-P5: Adverse effects of amateur radio configuration	Dr. Chantal Pagel Natasha Sitarz	289.42	Oppose	Considers that the policy does not provide adequate management of adverse effects on the environment; the policy is inconsistent with the NZCPS and NPSIB; and the activities already appear to be captured with in Policy NU-P2 as it applies to all “infrastructure”.	Delete or amend to ensure adverse effects on the environment are avoided, remedied or mitigated.	Open Submission
NU - Network utilities /Policies /NU-P6: Adverse effects of the National Grid Yard and National Grid Corridor	Dr. Chantal Pagel Natasha Sitarz	289.43	Amend	State that the word “enable” is not used in the NPSET and could create inconsistencies with the NZCPS and the NPS-IB, including provisions yet to be included in the ECO chapter. The policy fails to capture direction from the NPSET for substantial upgrades to be used as opportunity to reduce existing adverse effects (NPSET Policy 6)	Amend as follows:  <del>Enable</del> <u>Consider providing for major upgrading and development of the National Grid while managing adverse effects on the environment, including by:</u>  Add:  <u>e: using major upgrades as an opportunity to reduce existing adverse effects</u>	Open Submission
NU - Network utilities /General /General	Dr. Chantal Pagel Natasha Sitarz	289.44	Oppose	Arising from late notification of ECO-chapter	Add:  <u>“The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to network utilities. Where there is a conflict between the Network Utilities chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply”</u>	Open Submission

## NU - Network Utilities

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
NU - Network utilities /NU - Network Utilities - Rules Table /General	Dr. Chantal Pagel Natasha Sitarz	289.45	Oppose	Considers the rules do not ensure adverse effects within the coastal environment are in accordance with the requirements of the NZCPS. In particular the rules do not give effect to Policies 11, 13 and 15 of the NZCPS. The rules also potentially conflict with the ECO chapter provisions and as drafted do not give effect to the NPSIB.	Seeks to add a condition/standard to all rules that the activity is not within the coastal environment, any outstanding waterbody, outstanding NFL or significant natural area. Where this is not complied with the activity must comply with rules in the ECO chapter or is a non-complying activity.	Open Submission