

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Powerco Limited	General Approach /Permitted baseline /	172.1	Amend	If the Plan provides for an activity as a permitted activity, then those effects are anticipated and should be included in the permitted baseline test.	Amend as follows: The permitted baseline test will not be applied where: a. the application of the baseline would be inconsistent with Part 2 of the RMA; b. the permitted activity baseline has uncertainties, is fanciful, or not credible, and c. the application of the baseline would be inconsistent with objectives and policies in the District Plan.
Powerco Limited	General Approach /Zoning of roads, railways, and rivers /	172.2	Support	As the majority of Powerco assets are located within roads, it supports the clarification of zoning that will apply to roads.	Retain as drafted.
Powerco Limited	Definitions /Definitions /DEVELOPMENT	172.3	Amend	Powerco is concerned that the definition would inappropriately capture infrastructure. The term is utilised to broadly characterise development in the Strategic Direction and Financial Contributions chapters, however it should not apply to infrastructure. Clearly it would be inappropriate to apply such a consideration to gas networks. It is noted that the term 'infrastructure' is individually referenced throughout these chapters.	Amend as follows: DEVELOPMENT means the erection or placement of buildings and structures, and/or the resurfacing of land, <u>but excludes infrastructure.</u>
Powerco Limited	Definitions /Definitions /EARTHWORKS	172.4	Support	Powerco supports this national planning standards definition.	Retain as drafted.
Powerco Limited	Definitions /Definitions /FUNCTIONAL NEED	172.5	Support	Powerco supports this national planning standards definition.	Retain as drafted.
Powerco Limited	Definitions /Definitions /INFRASTRUCTURE	172.6	Support	Powerco supports this definition as contained in s2 of the RMA.	Retain as drafted.
Powerco Limited	Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	172.7	Amend	Powerco generally supports this definition however specific reference to pipelines needs to be included.	Amend as follows: MAINTENANCE (NETWORK UTILITIES) any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, <u>pipeline</u> , building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. Also includes the addition of extra lines to existing or replacement poles or other support structures.
Powerco Limited	Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	172.8	Amend	Powerco supports the need for this definition, however it needs to be clear that replacement structures or networks are anticipated under this definition. Upgrading works often entail replacement components.	Amend as follows: MINOR UPGRADING OF NETWORK UTILITIES means an increase in the capacity, efficiency, or security of existing infrastructure where this utilises existing structures and networks and/or <u>replacement</u> structures and networks of a similar scale and character.
Powerco Limited	Definitions /Definitions /NETWORK UTILITY.	172.9	Support	Powerco supports this definition and the clarity which it provides.	Retain as drafted.
Powerco Limited	Definitions /Definitions /NETWORK UTILITY OPERATOR	172.10	Support	Powerco supports this national planning standards definition.	Retain as drafted.
Powerco Limited	Definitions /Definitions /OPERATIONAL NEED	172.11	Support	Powerco supports this national planning standards definition.	Retain as drafted.
Powerco Limited	Definitions /Definitions /TEMPORARY INFRASTRUCTURE	172.12	Support	Powerco supports this definition and the clarity which it provides.	Retain as drafted.
Powerco Limited	Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	172.13	Amend	Powerco supports the need for this definition, however as there is also a definition of 'minor upgrading' in the Plan this also needs to be excluded from this definition for clarity.	Amend as follows: UPGRADING (NETWORK UTILITIES) as it applies to network utilities, means the replacement, repair or renewal or improvement or increase in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes 'maintenance' and 'minor upgrading'.
Powerco Limited	SD - Historic and Cultural Heritage /Objectives /SD-HH-01: Character, culture, heritage, and landscapes	172.14	Amend	Powerco notes that this objective will need to be assessed for any application for resource consent that is discretionary or non-complying. We are concerned that the inclusion of 'protection' in this objective would likely be used as grounds to decline an application for resource consent.	Amend as follows: SD-HH-01: Character, culture, heritage, and landscapes Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated, maintained, protected , and enhanced.
Powerco Limited	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-01: Enabling infrastructure	172.15	Support	Powerco supports this objective and the clarity which it provides	Retain as drafted.
Powerco Limited	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-03: Managing adverse effects of infrastructure	172.16	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted.
Powerco Limited	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-04: Significant infrastructure and reverse sensitivity	172.17	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted.
Powerco Limited	NU - Network utilities /Objectives /NU-01: Essential role of network utilities	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.	Amend as follows: NU-01: Essential role of network utilities 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.

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Powerco Limited	NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	172.19	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted
Powerco Limited	NU - Network utilities /Objectives /NU-O3: Adverse effects on network utilities	172.20	Support	Powerco supports this objective and the clarity which it provides.	Retain as drafted.
Powerco Limited	NU - Network utilities /Policies /NU-P1: Essential role of network utilities	172.21	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.
Powerco Limited	NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	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. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance; ...
Powerco Limited	NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	172.23	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.
Powerco Limited	NU - Network utilities /Policies /NU-P4: Adverse effects on network utilities	172.24	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Rules Table /	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>
Powerco Limited	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	172.26	Support	Powerco supports this rule as existing network utilities need to be operated, maintained, replaced and removed as required.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R2: Minor upgrading of existing network utilities in all zones and precincts	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: NU-R2: Minor upgrading of existing network utilities in all zones and precincts 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. 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
Powerco Limited	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)	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.

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Powerco Limited	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	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.
Powerco Limited	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	172.30	Support	Powerco supports this rule - it is appropriate that construction of new network utilities are provided for.	Retain as drafted.
Powerco Limited	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	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.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R11: Temporary network utilities in all zones and precincts	172.32	Support	Powerco supports this rule - it is appropriate that temporary network utilities are provided for.	Retain as drafted.
Powerco Limited	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)	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.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R13: Buildings or structures within the National Grid Yard in all zones	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.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	172.35	Support	Powerco supports this standard - it is appropriate that no setbacks apply to network utilities in the road.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	172.36	Support	Powerco supports this standard - it is appropriate that no setbacks apply to network utilities in the road.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S1: Setbacks	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.

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Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S2: Height for above ground buildings	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 structure 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.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S3: Height for above ground structures (other than buildings)	172.39	Support	Powerco supports this standard – the height for structures as contained within this standard is appropriate	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S4: Floor space & dimensions	172.40	Support	Powerco supports this standard – the gross floor areas are appropriate for the specified zones.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S9: Signs	172.41	Support	Powerco supports this standard – the signage standards are appropriate.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S10: Pipelines, cables, conductors, and lines	172.42	Support	Powerco supports this standard – the requirements applying to pipelines are appropriate.	Retain as drafted.
Powerco Limited	NU - Network utilities /NU - Network Utilities - Standards Table /NU-S11: Removal of derelict above ground network utilities	172.43	Support	Powerco supports this standard – the removal of derelict above ground structures (only) is considered generally appropriate.	Retain as drafted.
Powerco Limited	HH - Historic heritage /Objectives /HH-O2: Continued use and appreciation	172.44	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.
Powerco Limited	HH - Historic heritage /Policies /HH-P3: Continued use	172.45	Support	Powerco supports this policy and the clarity which it provides.	Retain as drafted.
Powerco Limited	HH - Historic heritage /HH - Historic Heritage - Rules Table /	172.46	Amend	Powerco seeks additional rules specific to network utilities, to ensure the the ability for existing network utilities to be maintained or upgraded, as well as the addition of new network utilities to be provided for. These new rules could sit in the Historic Heritage rules or the Network Utility rules (with suitable cross-referencing). Utilities play an important part of the continued use or adaptive reuse of heritage items, which is supported by Objective HH-O2 and Policy HH-P3.	Add new rules: <u>HH-Rxx: Maintenance and minor upgrades of existing network utilities located on or within Group A or Group B heritage items.</u> <u>Activity Status: Permitted</u> <u>HH-Rxx: The addition of new network utilities located on Group A or Group B heritage items.</u> <u>Activity Status: Controlled</u> <u>Matters of control are restricted to:</u> <u>1. Streetscape values;</u> <u>2. Effects on heritage values;</u> <u>3. Visual effects;</u> <u>4. Adaptive reuse, and</u> <u>5. Cumulative effects.</u>
Powerco Limited	TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R5: Any network utility operations within the dripline of a notable tree	172.47	Oppose	There may be instances where existing network utilities are located within the dripline of notable trees. The ability to access these utilities for maintenance or repairs is critical. It is considered that subject to appropriate conditions, such works can occur as a permitted activity.	Amend as follows: TREE-R5: Any <u>underground</u> network utility operations within the dripline of a notable tree Activity Status: Discretionary <u>Permitted</u> <u>Where:</u> <u>1. Any soil disturbance is undertaken via the use of an airspade, hydrovac or handtools.</u> <u>2. New works are installed using trenchless installation methods.</u> <u>3. The works are undertaken or supervised by the Council or a qualified arborist.</u> NA <u>Activity Status where activity conditions are not met: Discretionary</u> Notification: Any application under this rule is precluded from being publicly notified.

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Powerco Limited	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R3: Subdivision of land for the purpose of public works, network utilities, reserves, or access	172.48	Support	Powerco supports this rule which provides for subdivision for network utilities.	Retain as drafted.
Powerco Limited	EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	172.49	Support	It is appropriate that there is a network utilities rule provided within the earthworks chapter.	Retain as drafted.
Powerco Limited	EW - Earthworks /EW - Earthworks - Standards Table /EW-S8: Proximity to gas lines	172.50	Support	It is appropriate that this standard refers to gas distribution works.	Retain as drafted.