

Section 42A Officer's Report

Hearing Stream 6: Infrastructure

Subjects: **Infrastructure and Protection of Infrastructure
(this report)**

Renewable Energy Generation

Three Waters

Transport

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2 Introduction

2.1 Purpose and Scope

- (1) This is the section 42A Officer's Report for the Infrastructure and Protection of Infrastructure topics of the Proposed Lower Hutt District Plan (the PDP).
- (2) This report is prepared under section 42A of the Resource Management Act 1991 (the RMA) to:
 - Assist the Hearing Panel in making their recommendations on the submissions and further submissions on the Infrastructure and Protection of Infrastructure chapters of the PDP, and
 - Provide submitters with information on how their submissions/further submissions have been evaluated by the reporting officer for these chapters, and the reporting officer's recommendations to the Hearing Panel on the decisions requested.
- (3) This report considers submissions/further submissions received by Council on the chapters, definitions of the Definitions chapter that primarily relate to provisions of these chapters, and strategic directions INFSD-O1 to INFSD-O5 and UDSD-O4, and concludes with the officer's recommendations with respect to decisions requested by submitters on these parts of the PDP.
- (4) The Hearing Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information provided to them, including evidence provided to them by submitters.

2.2 Author – Peter McDonald

- (5) My full name is Peter McDonald. I am a Senior Policy Planner in the Policy Planning Team at Hutt City Council (the Council). I hold a Bachelor of Planning from the University of Auckland, and a Master of Transport Planning from Monash University.
- (6) I have 9 years' experience in planning and resource management in Local Government in New Zealand, covering the district plan review and resource

consent processing. I have a further 6 years' experience in resource management and transport planning in Queensland, Australia.

- (7) I have been involved in the District Plan Review since 2023.

2.3 Code of Conduct

- (8) Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- (9) Other than where I state that I am relying on the advice of another person, this evidence is within my areas of expertise. I have not omitted to consider material facts known to us that might alter or detract from the opinions that I express.
- (10) Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinion. Where I have set out opinions in my evidence, I have given reasons for those opinions.

2.4 Supporting evidence

- (11) Other than the s32 evaluation reports for these chapters, there is no additional supporting documents or evidence for this report.

2.5 Procedural issues

- (12) At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings, or expert witness conferencing in relation to the INF chapter or PINF chapter.
- (13) I discuss the relevance of the PDP exemption process to the INF chapter in 2.7 of this report. As a consequence of the exemption, I recommend a change to the format of the rules section of the INF chapter. The rules section in the notified chapter, consisted of rules tables with a large number of columns corresponding to overlays now withdrawn from the plan. I recommend the rules table be restructured from a table format to a more typical list of rules (see Appendix 1). This reformatting also included a

rationalisation of rule INF-R6 and INF-R21 relating to signs, into a single rule (INF-R6).

- (14) The change to the rules table will assist plan useability through simplifying its visual presentation and aligning its structure to the rest of the PDP. The change to the rules tables do not include any change to their content including rule triggers, activity statues or assessment matters. The change does not respond to any submissions made on the INF chapter rules. Assessment and recommendations in response to submissions on the INF chapter rules in section 4.4 of this report, will be in reference to this revised rules format.
- (15) While no formal pre-hearing meetings have been held on this, I have contacted submitters to discuss this recommend change. I have received a response from a majority of submitters, all of whom have advised their support for this approach.

2.6 Glossary and abbreviations

Term or abbreviation	Meaning
FENZ	Fire and Emergency New Zealand (submitter 374)
The Fuel Companies	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited (submitter 471/F32)
INF	Infrastructure [chapter/provisions]
kV	kilovolts
NES-EDEV	National Environmental Standard for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities 2009
NES-TF	National Environmental Standards for Telecommunications Facilities 2016
NPS-EN	National Policy Statement for Electricity Networks 2008 (amended 2025)
NPS-ET	National Policy Statement for Electricity Transmission 2008

Term or abbreviation	Meaning
NPS-I	National Policy Statement for Infrastructure 2025
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NPS-UD	National Policy Statement on Urban Development 2020
NZCPS	New Zealand Coastal Policy Statement 2010
NZEC	New Zealand Electrical Code of Practice
NZTA	New Zealand Transport Agency (submitter 385/F20)
NZS	New Zealand Standard
ODP	Operative District Plan
PINF	Protection of Infrastructure [chapter/provisions]
PDP	Proposed Lower Hutt District Plan
RMA, "the Act"	Resource Management Act 1991
RPS	Regional Policy Statement for the Wellington Region
SHCO	Specific Height Control Overlay
Te Āti Awa	Te Rūnanganui o te Āti Awa ki te Upoko o te Ika a Māui (submitter 503/F42)
The Telecommunication Companies	Connexa, Chorus, FortySouth and Spark (submitter 311)
WRC	Wellington Regional Council (submitter 452/F38)

2.7 Relevance of PDP exemption for INF and PINF chapters

- (16) In August 2025, the RMA was amended to introduce new plan stop provisions which required councils to stop proposed plan change processes which had not proceeded to hearings. Hutt City Council applied

for and was granted an exemption to proceed with the PDP with the following parts withdrawn:

- Historical and Cultural Values chapters, schedules and overlays
- Natural Environmental Values chapters, schedules and overlays
- Non-hazard parts of the Coastal Environment chapter and associated schedules and overlays (including coastal natural character)
- Parts relating to Highly Productive Land.

- (17) The INF chapter includes parts which relate to these topics. Appendix 1 includes a table detailing those parts of the notified INF chapter, which I consider to be withdrawn following the plan stop exemption. The table in Appendix 1 also identifies submission points which relate entirely to withdrawn parts of the chapter. This includes 51 original submission points and 28 further submission points. I consider these submission points to now be out of scope, and they are not assessed further in this report.
- (18) In addition, the submission of the Director-General of Conservation (405) includes submission points on parts of the INF chapter which have not been withdrawn, however the requested relief of the submission points address matters which are no longer in scope following withdrawal of the above mentioned topics. For completeness these submissions are addressed later in section 4.4.2 of the report, however I consider the submission points to be out of scope of the PDP.
- (19) As the PDP is no longer a comprehensive review and replacement of the ODP, those parts of the ODP which are equivalent to withdrawn topics will remain operative. There is an exercise to be completed to confirm which provisions of the ODP remain and how they integrate with PDP provisions when they take effect.
- (20) It is not feasible that the final integrated District Plan will be able to fully give effect to all higher order documents. This is an inevitable consequence of the plan stop provisions and the scope of Council's Plan Stop Exemption.
- (21) The integration of the ODP and PDP is anticipated to happen at the same time that Council makes its decision on the PDP. This will involve some reformatting of the ODP content to conform to the National Planning Standards to ease the integration with the PDP.

- (22) At a later stage, plan changes may be undertaken to improve the integration between the plans and improve implementation of higher order documents, however this will depend on what is enabled by relevant legislation at the time.
- (23) With regard to the INF chapter, the Network Utilities chapter is the most equivalent chapter of the ODP, and includes provisions for infrastructure with respect to those topics withdrawn from the PDP. This includes provisions with respect to historical and cultural values, natural environmental values and the coastal natural character. These topics are addressed in the Network Utilities chapter in the following ways:
- Rule arms which apply to activities located in certain heritage areas
 - Cabinets and other network utility structure (13.3.1.10)
 - Masts with or without associated antennas (13.3.1.15)
 - Antenna and support structures attached to buildings (13.3.1.22, 13.3.1.25)
 - Rule arms which apply to activities located in the closest equivalent in the ODP of a coastal natural character area
 - Masts with or without associated antennas (13.3.1.20)
 - Grade separated transport facilities, bridges, tunnels (13.3.1.40)
 - Requirements in standards which apply to heritage areas or riparian areas
 - Height standards for various structures (13.3.2.2.1 to 13.3.2.2.4, 13.3.2.2.6)
 - A specific standard for riparian setbacks (13.3.2.4.1).
- (24) In addition to the above, there are some rules which trigger assessment with a discretionary or non-complying activity assessment, which could encompass assessment of effects which relate to topics withdrawn from the PDP.
- (25) The provisions in the ODP Network Utilities chapter often take a “belt and braces” approach, particularly in relation to provisions for heritage areas, which are addressed in both the arms of certain rules and their applicable standards. I consider there are opportunities as part of the integration, and potential future plan changes, to refine the provisions to remove duplication, focus assessment under a restricted discretionary activity

status to the specific matters, and to provide clearer pathways between consent triggers and assessment matters on the relevant topics.

2.8 Statutory and Policy Context

- (26) The broader context of statutory considerations and national and regional direction as set out in the s32 report for the chapter remains relevant. However, there have been changes to national and regional policy direction which are discussed here.

2.8.1 National policy direction

- (27) On 15 January 2026 three new and seven amended national policy instruments came into effect. These were introduced by the government with the stated aim of making it easier for councils to plan and deliver infrastructure and to support growth in the primary sector. The updated policy direction anticipates and are intended to be incorporated within a reformed planning system.
- (28) The following new or amended national policy instruments are of particular relevance for infrastructure:
- New Zealand Coastal Policy Statement 2010 (NZCPS)
 - National Policy Statement for Infrastructure 2025 (NPS-I)
 - National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG)
 - National Policy Statement for Electricity Networks 2008 (NPS-EN)

2.8.1.1 New Zealand Coastal Policy Statement 2010

- (29) The amendments to the NZCPS are intended to enable infrastructure and make it easier for other activities such as mining and aquaculture to operate in the coastal marine area.
- (30) The following amendment to clause 1(a) of Policy 6 of the NZCPS, is of particular relevance to the Infrastructure chapter:
- “1) In relation to the coastal environment:
- a) recognise that the provision of infrastructure...are activities ~~important to~~ important to which may be required for the social, economic and cultural well-being of people and communities.”

2.8.1.2 National Policy Statement for Infrastructure 2025

- (31) The NPS-I is a new instrument to guide the efficient development, management, and upgrading of infrastructure.
- (32) Under the NPS-I “infrastructure” includes infrastructure as defined by the RMA and “additional infrastructure” – a term which includes:
- schools;
 - health facilities;
 - fire and emergency services facilities;
 - defence facilities;
 - correction facilities;
 - stormwater network;
 - resource recovery or waste disposal facilities; and
 - flood control and protection works
- (33) The NPS-I seeks to enable infrastructure and provides direction for decision-makers, including to:
- provide for the benefits of infrastructure (Policy 1)
 - recognise the operational needs and functional needs of infrastructure (Policy 2)
 - enable the efficient and timely operation and delivery of infrastructure activities (Policy 4)
 - recognise and provide for “infrastructure supporting activities” (Policy 5)
 - recognise and provide for Māori interests (Policy 6).

2.8.1.3 National Policy Statement for Renewable Electricity Generation 2011

- (34) Amendments to the NPS-REG are intended to enable a significant increase in renewable electricity generation to improve security and resilience of electricity supply and to achieve emission reduction and energy target. These amendments are discussed in more detail in the section 42A report for the Renewable Electricity Generation chapter.

2.8.1.4 National Policy Statement for Electricity Networks 2008

- (35) Amendments to the NPS-EN are intended to improve security and resilience of electricity supply.

- (36) Key changes to the NPS-EN include extending its application beyond the electricity transmission network, to now include the electricity distribution network and ancillary electricity network. The policy direction in the amended NPS-EN includes:
- More detail on the benefits of the electricity network which decision-makers must recognise (Policy 2)
 - Decision-makers must recognise and provide for Māori interests in relation to electricity network activities (Policy 3)
 - Emphasis on the role of network providers in determining site and route selection (Policy 4)
 - Revised direction to decision makers for managing the effects of proposed electricity network activities, which include a distinction between routine and non-routine electricity network activities, and ensuring that the operational needs, functional needs and other constraints for electricity network providers (Policies 5 to 9).
 - More detail on managing the effects of third parties on the electricity network, including direct effects and reverse sensitivity effects (Policies 11 to 12).
 - More direction for local authorities to engage with electricity network operators to facilitate strategic planning for the network (Policy 13).
 - Update to the technical standards local authorities must refer to when managing electric or magnetic fields associated with the electricity network (Policy 14).
 - There is generally less direction with respect to the managing of adverse effects from the electricity network.

2.8.2 Regional policy direction

- (37) With regard to Proposed Change 1 of the Proposed Change 1 to Regional Policy Statement (RPS) provisions due to the scope of appeals, I do not consider there to be significant changes of relevance to the Infrastructure topic between the decisions version (published 4 October 2024, and considered prior to notification of the PDP) and the appeals version (published 5 September 2025).

3 Strategic directions

- (38) As discussed in the s42A report for Hearing Stream 1 – Opening, most strategic direction provisions will be discussed in the report for the topic most relevant to that particular strategic direction. That report also has a broader discussion of the role and intent of the strategic directions as a whole.
- (39) The following sections address submissions on the infrastructure-specific strategic directions INFSD-O1 to INFSD-O5, with my recommendations on decisions requested by submitters in relation to these strategic directions.
- (40) Strategic direction INFSD-O6: Water Sensitive Design will also be discussed at Hearing Stream 6: Infrastructure. However, this strategic direction and associated submissions are discussed in the officer's report for the Three Waters chapter.

3.1 Infrastructure strategic directions

3.1.1 INFSD-O1 Integration

Submissions

- (41) FENZ (374.14a), KiwiRail (442.22) and NZTA (385.25) support the objective and seek it is retained as notified. Horokiwi Quarries (246.7a) support the objective in part and have requested no amendments to the objective.
- (42) The Telecommunication Companies (311.17) seek to amend the objective as follows:
- Land use and development is integrated with the provision of infrastructure, ~~including transport and three waters services, and open space.~~*
- (43) Enviro NZ (323.19) seek to amend the objective as follows:
- Land use and development is integrated with the provision of infrastructure, including transport and three waters services, waste facilities and open space.*

- (44) The Ministry of Education (399.12) seek to include a reference to “additional infrastructure” which they propose is defined in a way which is consistent with the NPS for Urban Development 2020:

Land use and development is integrated with the provision of infrastructure, including transport and three waters services, additional infrastructure, and open space.

- (45) WRC (452.17) seek to amend the objective as follows:

Land use and development is integrated with the provision of infrastructure, including transport and three waters services, green infrastructure and open space.

Assessment

- (46) I agree with the Telecommunication Companies (311.17) that it is not necessary to list specific types of infrastructure after using the defined term.
- (47) The NPS-I includes a different defined term for “additional infrastructure”, than the one used by the NPS-UD and which is proposed by the Ministry of Education (399.12) to be included in INFSD-O1.
- (48) The reporting officer for Hearing Stream #1, Kate Pascall, assessed similar submissions made by the Ministry of Education with respect to strategic direction UDSD-O2 (Outcomes for Well-Functioning Urban Environments). Ms Pascall recommended that NPS-I defined term for “additional infrastructure” be added to the PDP, and recommended adding the term to the wording of UDSD-O2.
- (49) Ms Pascall considers that the activities listed as “additional infrastructure” are necessary to support well-functioning urban environments. On a similar basis, I agree that the term should be added to INFSD-O1, as activities which should be integrated with land use and development. This will improve alignment with the NPS-I. I consider that using the NPS-I defined term for “additional infrastructure” sufficiently addresses the relief sought by the Ministry of Education, noting that the term includes “a school or institution as defined in the Education and Training Act 2020”.

- (50) I also consider adding “additional infrastructure” addresses the relief sought by Enviro NZ (323.19), noting that the term includes “resource recovery or waste disposal facilities”.
- (51) With respect to the request of WRC (452.17) to include “green infrastructure”, again Ms Pascall addressed a similar request to another strategic direction in Hearing Stream #1. I agree with the assessment of Ms Pascall that the RPS direction for green infrastructure is already implemented elsewhere in the PDP, including other strategic directions. I do not consider it to be a necessary addition for INFSD-O1.

Recommendations

- (52) Accept in part the submission points of FENZ (374.14a), KiwiRail (442.22), NZTA (385.25) and Horokiwi Quarries (246.7a), in that the strategic direction be retained subject to amendments in response to other submissions (outlined below).
- (53) Accept the submission point of the Telecommunication Companies (311.17).
- (54) Accept in part the submission points of Enviro NZ (323.19) and the Ministry of Education (399.12).
- (55) Reject the submission point of WRC (452.17).
- (56) Amend strategic objective INFSD-O1 as follows:

INFSD-O1 Integration

Land use and development is integrated with the provision of infrastructure and additional infrastructure, including transport and three waters services, and open space.

3.1.2 INFSD-O2 Coordination

Submissions

- (57) FENZ (374.14b) and NZTA (385.25) support the objective and seek it is retained as notified. Horokiwi Quarries (246.7a) support the objective in part and have requested no amendments to the objective.
- (58) The Telecommunication Companies (311.18) seeks to amend the objective as follows:

The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of ~~necessary transport and other~~ infrastructure.

- (59) Enviro NZ (323.20) and Ministry of Education (399.13) both seek that the objective is amended to include “additional infrastructure” as defined in the NPS-UD.

Assessment

- (60) I agree with the Telecommunication Companies (311.18) that the direction of INFSD-O2 is relevant to all infrastructure, and it is not necessary to highlight transport infrastructure.
- (61) As previously discussed, I support the inclusion in the PDP of a defined term for “additional infrastructure”, but support using the NPS-I definition rather than the NPS-UD definition. I agree that new development should be co-ordinated with the funding, implementation and operation of additional infrastructure.

Recommendation

- (62) Accept in part the submission points of FENZ (374.14b), NZTA (385.25) and Horokiwi Quarries (246.7a), in that the strategic direction be retained subject to amendments in response to other submissions (outlined below).
- (63) Accept the submission point of the Telecommunication Companies (311.18).
- (64) Accept in part the submission points of Enviro NZ (323.20) and the Ministry of Education (399.13).
- (65) Amend the strategic direction INFSD-O2 as follows:

INFSD-O2 Coordination

The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of ~~necessary transport and other~~ infrastructure and additional infrastructure.

3.1.3 INFSD-O3 National and Regional Significance

Submissions

- (66) The NZ Defence Force (404.8), Powerco (414.7), KiwiRail (442.23), the Fuel Companies (471.87) and NZTA (385.25) support the objective and seek it is retained as notified. Horokiwi Quarries (246.7a) support the objective in part and have requested no amendments to the objective.
- (67) Enviro NZ (323.21) seeks that the objective is retained as notified (conditional on the infrastructure definition being amended to include landfill and resource recovery facilities), or that the objective is otherwise amended to include regional waste management infrastructure.
- (68) The Telecommunication Companies (311.19) seeks that the objective is amended as follows:
- Regionally Significant Infrastructure ~~of national and regional significance~~ is supported and protected.*
- (69) Winstone Aggregates (444.8) seeks to amend the objective as follows:
- Infrastructure of national and regional significance, including those services that enable ongoing operation and maintenance, is supported and protected.*
- (70) Clarus (474.11) seeks to add the following wording to the objective:
- ..., including extensions of existing and establishment of new infrastructure of national and regional significance.*
- (71) Transpower (504.14) seek to amend the objective as follows:
- Infrastructure of national and regional significance is supported and protected, recognised and provided for.*

Assessment

- (72) I agree with the relief requested by the Telecommunication Companies (311.19). I do not consider there will be nationally significant infrastructure that is not also regionally significant.
- (73) Elsewhere in this report I have recommended that the definition of “regionally significant infrastructure” be amended to include the Silverstream Landfill, to improve alignment with the RPS definition. I consider that this change, together with the amendment to INFSD-O3 requested by the Telecommunication Companies, will partially address the relief on the strategic objective requested by Enviro NZ (323.21). I do not

consider it is necessary for INFSD-O3 to include waste management facilities beyond those identified as regionally significant in the RPS.

- (74) I agree in part with Winstone Aggregates (444.8), and that addressing the protection of mineral resources in the strategic directions will align with the RPS. However, I consider that adding this content to INFSD-O3 will distract from its focus on infrastructure of regional significance, as mineral resources are not 'infrastructure' or 'regionally significant infrastructure' as defined in the PDP. In another submission point, Horokiwi Quarries and Winstone Aggregates have requested a specific strategic direction which addresses the benefits of mineral resources (which I address in section 3.1.6 of this report). I consider expanding this strategic direction would be the better location for including direction for protecting mineral resources.
- (75) I disagree with Clarus (474.11) that the objective should be amended to include protection of infrastructure that is yet to be established.
- (76) The reasoning provided by Transpower (504.14) for their relief, is that it would improve alignment with national policy direction for the National Grid. In response to another of their submission points, I have recommended a new strategic direction which identifies the national significance of electricity networks (see INFSD-08 in section 3.1.7 of this report). I consider this is sufficient to address the relief sought by Transpower, without requiring further modification of INFSD-O3.

Recommendations

- (77) Accept in part the submission points of the NZ Defence Force (404.8), Powerco (414.7), KiwiRail (442.23), the Fuel Companies (471.87), NZTA (385.25) and Horokiwi Quarries (246.7a), in that the strategic direction be retained subject to amendments in response to other submissions (outlined below).
- (78) Accept in part the submission point of Enviro NZ (323.21).
- (79) Accept the submission point of the Telecommunication Companies (311.19).
- (80) Agree in part with the submission point of Winstone Aggregates (444.8), and address their requested relief in a new strategic direction (see section 3.1.6 of this report).
- (81) Reject the submission point of Clarus (474.11).

(82) Reject the submission point of Transpower (504.14).

(83) Amend strategic direction INFSD-O3 as follows:

INFSD-O3 ~~Regionally Significant Infrastructure National and Regional Significance~~

~~Regionally Significant Infrastructure of national and regional significance~~
is supported and protected.

3.1.4 INFSD-O4 Multi-Modal Land Transport Network

Submissions

(84) FENZ (374.15), the Ministry of Education (399.14), KiwiRail (442.24) and NZTA (385.25) support the objective and seek it is retained as notified. Horokiwi Quarries (246.7a) support the objective in part and have requested no amendments to the objective.

(85) Ron Beernink and Glenda McCallum (303.7) seek that the strategic directions include a reference to the Hutt City Cycling and Micromobility Business Case.

Assessment

(86) Strategic directions are statements of a high level outcomes. I do not consider that including a reference to the Hutt City Cycling and Micromobility Business Case (whether in INFSD-O4 or any other strategic direction) is an appropriate level of detail for a strategic direction.

Recommendations

(87) Accept the submission points of FENZ (374.15), the Ministry of Education (399.14), KiwiRail (442.24), NZTA (385.25) and Horokiwi Quarries (246.7a).

(88) Reject the submission point of Ron Beernink and Glenda McCallum (303.7).

(89) Retain the strategic direction INFSD-O4 as notified.

3.1.5 INFSD-O5 Accessibility

(90) The Ministry of Education (399.15), KiwiRail (442.25) and NZTA (385.25) support the objective and seek it is retained as notified. Horokiwi Quarries

(246.7a) support the objective in part and have requested no amendments to the objective.

(91) I recommend that these submission points be accepted.

3.1.6 New infrastructure strategic direction – mineral resources and quarrying activities

Submissions

(92) Horokiwi Quarries (246.7b) seeks the inclusion of a new infrastructure strategic direction as follows:

INFSD-O7 –

The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.

(93) Winstone Aggregates (444.9) seek the inclusion of the following objective:

INFSD-O7

As a regionally significant source of aggregate, activities in the Quarry Zone are recognised for the benefit they provide in the delivery in infrastructure, and their ongoing operation and provided for.

Assessment

(94) I agree that including a strategic direction which provides for the benefits of utilising the city's mineral resources will align with Policy 60 of the RPS. I prefer the wording proffered by Horokiwi Quarries as being more aligned with Policy 60, and also similar to a strategic direction included in the Wellington City District Plan. However, I consider the wording should be expanded to address the protection of mineral resources, which is also aligned with the direction in Policy 60 of the RPS. This addresses relief requested by Winstone Quarries 444.8 with respect to INFSD-O3 (see section 3.1.3 of this report).

Recommendation

(95) Accept in part the submission points of Horokiwi Quarries (246.7b) and Winstone Aggregates (444.9).

(96) Add a new infrastructure strategic direction as follows:

INFSD-O7 – Mineral resources and quarrying activities

The city's mineral resources are protected from incompatible activities, and the benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.

3.1.7 New infrastructure strategic directions – National Grid

Submission

(97) Transpower (504.15, 504.16) seeks new infrastructure strategic directions to recognise the national significance of the National Grid and to protect it from incompatible development, as follows:

INFSD-O7: National Grid

The significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the city.

INFSD-O8: Effects on Significant infrastructure

Infrastructure of national and regional significance (which includes the National Grid), operates efficiently and safely and is protected from incompatible development and activities that may compromise the operation. Maintenance and upgrade of significant infrastructure, and may create reverse sensitivity effects.

Assessment

(98) With respect to the proposed objective INFSD-O7, I agree in part that a strategic direction which acknowledges the national significance of the National Grid will align with national policy direction. However, I

recommend alternative wording to reflect the new NPS-EN, including its wider application to the electricity distribution network.

- (99) I disagree with the requested inclusion of INFSD-O8, which I consider is already adequately covered by INFSD-O3. The content of INFSD-O3 is broad, however I consider this is appropriate for the strategic direction level. Although there is more specific national policy direction for the protection of the National Grid, this is reflected in objectives and policies in the PINF chapter.

Recommendation

- (100) Accept in part submission point 504.15 of Transpower, reject submission point 504.16 of Transpower.

- (101) Add a new infrastructure strategic direction as follows:

INFSD-O8: Electricity Networks

The national significance of the electricity transmission network and electricity distribution network is recognised, and sustainable, secure and efficient electricity is provided through and within the city.

3.1.8 New infrastructure strategic direction – Hutt Hospital

Submission

- (102) Health NZ (518.8) seeks that the Strategic Directions are amended to “explicitly identify the important role of infrastructure – particularly Regionally Significant Infrastructure – like the Hutt Hospital plays in the success, prosperity, health, and wellbeing of the community in Lower Hutt (and the region)”.
- (103) I disagree that there is a need to specifically identify Hutt Hospital in the strategic directions. I note that I recommend that INFSD-O1, INFSD-O2, UDSD-O2 and UDSD-O4 are modified to refer to additional infrastructure, which includes Health NZ operated health facilities. These strategic directions recognise the importance of additional infrastructure as part of well-functioning urban environments, and the need to coordinate and integrate land use and development with additional infrastructure.

Recommendation

- (104) Accept in part the submission point of Health NZ (518.8), in that the important role of infrastructure, including additional infrastructure, is recognised through strategic directions INFSD-O1, INFSD-O2, UDSD-O2 and UDSD-O4 with the amendments recommended elsewhere in this report (in relation to INFSD-O1 and INFSD-O2) and the officers report for Hearing Stream #1 (in relation to UDSD-O2 and UDSD-O4).

3.1.9 Infrastructure, additional infrastructure and mineral resources

- (105) In my above assessment, I have recommended amendments to existing infrastructure strategic directions to include reference to 'additional infrastructure', as well as a new strategic direction for mineral resources. Each of these instances provide for activities which expand beyond the list of activities included in the PDP definition of 'infrastructure'. Therefore as a consequence of these changes, I recommend that the sub-heading for infrastructure strategic directions be amended. I do not consider it necessary to modify the identifier 'INFSD' for these strategic directions.

Recommendation

- (106) Amend the sub-heading for infrastructure strategic directions as follows:
Infrastructure, additional infrastructure and mineral resources

3.2 UDSD-O4 Location of Urban Development

Submissions

- (107) The Telecommunication Companies (311.21), WRC (452.25) and Te Āti Awa (503.22) seek that the objective is retained as notified.
- (108) The Ministry for Education (399.19) seeks to amend the objective to include a reference to "additional infrastructure" as defined by the NPS-UD:
Urban development takes place within areas identified for this purpose in a manner which uses land and infrastructure (including additional infrastructure) most efficiently.

Assessment

- (109) I agree that urban development should take place within areas that uses additional infrastructure efficiently. However, the amendment to the policy should use the connecting word “and” rather than “including”, as most “additional infrastructure” is not “infrastructure” as the term is defined in the PDP.

Recommendations

- (110) Accept in part the submission points of the Telecommunication Companies (311.21), WRC (452.25) and Te Āti Awa (503.22), in that the strategic direction be retained subject to amendments in response to other submissions (outlined below).
- (111) Accept in part the submission point of the Ministry of Education (399.19).
- (112) Amend strategic direction UDSD-O4 as follows:

UDSD-O4 Location of Urban Development

Urban development takes place within areas identified for this purpose in a manner which uses land ~~and~~ infrastructure and additional infrastructure most efficiently.

3.3 Section 32AA evaluation

- (113) Changes to the strategic directions which remove superfluous language (INFSD-O1 and INFSD-O2), will improve the relevance and usefulness of the objectives. The inclusion of ‘additional infrastructure’ (INFSD-O1, INFSD-O2, UDSD-O4) and the new strategic directions for mineral resources (INFSD-O7) and electricity networks (INDSD-O8) will broaden the scope of matters addressed in the strategic directions, however in a way which is consistent with national and regional policy direction.

4 Infrastructure chapter

4.1 Chapter Summary

- (114) The District-wide matters standard from the National Planning Standards states that provisions relating to energy, infrastructure and transport that are not specific to special purpose zones should be located in one or more chapters under the “Energy, transport and infrastructure” heading.
- (115) The Infrastructure chapter is one of five chapters in the PDP which are grouped under the “Energy, transport and infrastructure” heading. The Infrastructure chapter includes provisions for the operation and development of “infrastructure”, within the meaning defined in the RMA. The Infrastructure chapter is generally conceived as a “one-stop-shop” for infrastructure activities, with rules for these activities mostly excluded from other chapters in the PDP.
- (116) Other PDP chapters under the Energy, infrastructure and transport heading include Protection of infrastructure (which is addressed in section 5 of this report) and Renewable Electricity Generation, Three Waters and Transport, (which are addressed in other s42A reports but are also part of Hearing Stream #6).

4.2 Submissions and further submissions

- (117) In total, 490 submission points are in scope of the PDP (given the limits of the PDP exemption, discussed in section 2.7 of this report) and relate to the Infrastructure topic, as follows:
- There were 24 original submitters who collectively made 335 submission points, including:
 - 281 submission points which relate to provisions within the INF chapter.
 - 54 submission points on definitions, abbreviations and national direction instruments which are specific to or primarily used in relation to the Infrastructure topic.

- Nine further submitters who collectively made 155 further submission points in relation to the above original submissions.
- (118) In addition, some submission points relate to parts of the Proposed District Plan that are outside the scope of the PDP exemption (as discussed in section 2.7 of this report, and detailed in Appendix 1). While these provisions have not been withdrawn at this stage, Council is unable to include them in the decisions version of the PDP. This is relevant for:
- 51 original submission points, and
 - 28 further submission points.

4.3 Key resource management issues

- (119) The key resource management issues raised in submissions for the Infrastructure chapter are:

4.3.1 Scope of Infrastructure chapter

- (120) A number of submitters sought to broaden the scope of activities provided for in the Infrastructure chapter through altering the “infrastructure” definition and/or altering text which explains the application and exclusions which apply to Infrastructure chapter provisions.
- (121) Of particular relevance to these submissions is the NPS-I, which directs decision-makers to recognise and provide for infrastructure. The PDP was prepared prior to the NPS-I taking effect (or being released publicly), and therefore does not directly anticipate or respond to its directions. The NPS-I introduces an expanded definition of “infrastructure”, which includes additional activities that are not covered by the definition used in the PDP.
- (122) In this section I will discuss submissions which seek to expand the scope of the infrastructure chapter in the context of the new direction from the NPS-I, and will provide some general reasoning for my recommended responses to these submissions. More detailed assessment and recommendations for specific submission points is included later in this report per chapter part or provision.

4.3.1.1 Resource recovery and waste disposal facilities

- (123) Enviro NZ (323) have sought to modify the “infrastructure” definition to include resource recovery and waste disposal facilities, and Waste Management NZ (461) have sought to modify the definition to include “waste management facilities” (for which they have requested a new defined term).
- (124) The matters raised by these submitters align with matters (resource recovery and waste disposal facilities) for which the NPS-I provides direction. Thereby it is relevant to consider the extent to which the response to the relevant submission points achieve alignment with the NPS-I.
- (125) In the PDP resource recovery and waste disposal activities are primarily provided for as “industrial activities” and/or “heavy industrial activities” in the Heavy Industrial Zone, and to a lesser extent the General Industrial, Light Industrial and General Rural zones. In other zones, these activities have a non-complying activity status often accompanied with “avoid” policy direction.
- (126) Policy 9 of the NPS-I directs decision makers to enable new infrastructure in all environments. I do not consider that “all environments” in this context necessarily means all zones or locations. As identified above, the PDP provides for resource recovery and waste disposal facilities in both urban and rural environments.
- (127) I consider Policy 9 of the NPS-I should be read in conjunction with the other directions of the NPS-I, including those relating to supporting well-functioning urban environments and managing interface and compatibility issues between infrastructure and other activities.
- (128) With consideration to these directions and noting the compatibility issues which are commonly associated with resource recovery and waste disposal activities, I consider managing these activities through zone-based provisions is appropriate. Managing compatibility between potentially offensive activities (including resource recovery and waste disposal activities), and sensitive activities is important to supporting well-functioning environments. Managing compatibility issues in this way also supports the long-term operation of such activities. Therefore, I consider how the PDP provides for these activities achieves alignment with the NPS-I.

- (129) Enviro NZ (323) have also sought modifications to the INF chapter to clarify that objectives and policies only of the INF chapter would apply to resource recovery and waste disposal activities, with zone chapter rules continuing to apply). The zone chapter objectives and provisions have not been prepared in anticipation of the NPS-I, and how they may be read in conjunction with INF chapter objectives and policies. Therefore, I consider that if the INF chapter objectives and policies (to the extent they apply to resource recovery and waste disposal activities) were retroactively applied to the zone chapters, then this would complicate and potentially undermine the implementation of zone chapter objectives and provisions.

4.3.1.2 Defence facilities

- (130) The NZ Defence Force (404.1) seek that the “infrastructure” definition is amended to refer to defence facilities. They have sought no other modification to the infrastructure chapter.
- (131) The NPS-I includes direction on the provision for “additional infrastructure” which includes defence facilities. Thereby it is relevant to consider the extent to which the response to submission point 404.1 achieves alignment with the NPS-I.
- (132) The PDP includes provision for temporary military training activities, and does not otherwise specifically provide for military activities or defence facilities.
- (133) Information has not been provided on the potential scale or the nature of defence facilities that may locate in Lower Hutt. This is something that the submitter may wish to elaborate on in further evidence. As it stands, I do not consider I have sufficient information to assess or provide recommendations on the requirements of defence facilities, the sufficiency of the PDP to provide for them in alignment with the NPS-I, or options to improve this alignment.
- (134) Should any defence facility be established in Lower Hutt in the future it seems likely that this would be through the notice of requirement process.

4.3.1.3 Hutt Hospital

- (135) Health NZ (518.9) have sought the “Infrastructure” definition be amended to include “Hutt Hospital and Hutt Hospital Campus and its component parts”.

- (136) This submission point aligns with relevant NPS-I matters, specifically the provision for “health facilit[ies] operated by Health NZ” as additional infrastructure.
- (137) In the PDP, the Hutt Hospital campus is located in the special purpose Hospital Zone. Although not specific to Health NZ operated facilities, this zone recognises the regional importance of health care services and enables them as the predominant activities in the zone.
- (138) I consider that through the Hospital Zone, the PDP achieves alignment with the NPS-I direction in relation to health facilities. The Hospital Zone (rather than the INF chapter) is the logical place within the PDP structure to provide for health care facilities, including if any modifications were necessary to improve alignment with the NPS-I. The alignment of the Hospital Zone chapter with the NPS-I is discussed in further detail in the s42A report for that chapter.

4.3.1.4 Green infrastructure

- (139) WRC (452), have not sought changes to the “infrastructure” definition, however they have sought numerous edits to the INF chapter, so that the chapter provides for “green infrastructure”. They consider that to do so will achieve greater alignment with RPS Change 1 Policy CC.4, which seeks that priority be given to nature based solutions.
- (140) “Green infrastructure” is a defined term from the National Planning Standards which has been included in the PDP.
- (141) The INF chapter introductory text, identifies that green infrastructure is provided for in the Natural Hazards chapter rather than the INF chapter. (Provisions relevant for green infrastructure are also included in the Coastal Environment and Earthworks chapters). The section 42A report for Natural Hazards (Hearing Stream #5) has recommended that provisions for green infrastructure in the natural hazards chapter be removed. Policy direction (CE-P12) encouraging the use of green infrastructure is recommended to remain in the Coastal Environment chapter.
- (142) The “green infrastructure” definition encompasses stormwater and flood management through natural processes. I consider that stormwater networks are “infrastructure” within the RMA definition. Both stormwater networks and flood protection works are identified as additional

infrastructure under the NPS-I. “Green infrastructure” has a broader meaning beyond these specific activities or other activities for which the NPS-I provides direction.

- (143) To the extent that a green infrastructure activity includes a stormwater network component, then this would be covered by provisions in the INF chapter. Modification of the introduction to the INF chapter is appropriate to clarify this point and to reflect to changes recommended to green infrastructure provisions in Hearing Stream #5. To improve alignment with RPS Change 1, I consider that it is also appropriate to provide policy direction for green infrastructure to the extent that it is provided for in the INF chapter.

4.3.1.5 Third party advertising signs

- (144) oOh Media (517) have not sought changes to the “infrastructure” definition, but have sought alterations to existing provisions and the introduction of new provisions for third-party advertising signs. The reasoning provided is that third-party advertising signs are a source of funding for infrastructure such as bus shelters.
- (145) The PDP includes provisions for third-party signs in the Signs chapter, which seek to control effects on amenity values and the transport network. The need to control such effects are no less of a consideration for third-party advertising associated with infrastructure, particularly where located to be highly visible such as bus stops in the road reserve.
- (146) Third-party advertising, including where associated with infrastructure, is not “infrastructure” as defined by the RMA, nor is it included as “additional infrastructure” as defined in the NPS-I. The NPS-I includes direction to recognise and provide for “infrastructure supporting activities” (Policy 5). This term is defined to mean “activities that...are needed to directly support infrastructure activities” and includes the specific example of quarrying activities. Third-party advertising is one potential source of funding for some types of infrastructure, and is therefore not directly needed to support infrastructure (in the way that quarrying is directly needed to support road building). Therefore I do not consider third-party advertising to be an infrastructure supporting activity as meant by the NPS-I, and I do not consider that the NPS-I provides any other relevant direction in relation to third-party advertising.

4.3.2 Minor upgrading

- (147) Wellington Electricity (415) and Wellington Water (422, F36) seek that minor upgrading is defined and provided for in the rule framework.
- (148) The PDP does not include a definition for “minor upgrading”, nor is this specifically included in a rule description in the INF chapter. Policy 8 of the NPS-I requires decision makers to enable minor upgrades of existing infrastructure.
- (149) Without explicitly identifying “minor upgrading”, the PDP provides for minor upgrade through INF-R3 (Upgrading of infrastructure...), INF-R15 (Upgrading of gas transmission pipelines), INF-R17 (Upgrading of transmission lines) and INF-R23 (Upgrading of transport network infrastructure).
- (150) In each of these rules, upgrading which complies with specified standards, and for INF-R15 and INF-R17, which are also located outside the active street frontage overlay and high natural hazard overlay, are enabled as permitted activities.
- (151) I consider this approach provides a clear, effects basis for identifying and enabling upgrading which is of a minor scale. With respect to INF-R15 and INF-R17, this regime for enabling minor upgrading could be improved if upgrading in the active street frontage high natural hazard overlays were enabled as permitted activities. I consider there is scope to address this in relation to INF-R15 and have included further assessment later in this report (section 4.4.6.13).
- (152) The alternative approach to providing for minor upgrading, as suggested by Wellington Electricity and Wellington Water, is that “minor upgrading” is defined and explicitly provided for in the rule framework. I have concerns with plan useability and implementation with such an approach. Specifically, it will require some degree of subjective assessment to determine if an upgrading activity is minor in scale, only to determine the activity status. Such assessment and conclusions will likely vary between plan users. The District Plan should be clear and unambiguous when it comes to identifying resource consent triggers.
- (153) I consider the PDP as notified provides for minor upgrading in a way which is consistent with the NPS-I. The approach taken by the PDP is consistent with the Wellington City and Porirua district plans.

4.3.3 Electricity Networks

- (154) The revised version of the NPS-EN came into effect on 15 January 2026, and is particularly relevant to the submissions of Transpower (504) and Wellington Electricity (415), who are responsible for the electricity transmission network and electricity distribution network respectively.
- (155) The revised NPS-EN is discussed in section 2.8.1.4 of this report. In short it updates the policy direction of the NPS and expands its application to include the electricity distribution network. I do not consider the Wellington Electricity submission (415) or other submissions provide scope for considering the application of the updated NPS-EN policy direction to the electricity distribution network.
- (156) The Transpower submission (504) provides some scope to consider the relevance of the revised NPS-EN policy direction to the electricity transmission network, given the broad nature of the submission and the request for improved alignment of PDP provisions with the NPS. However, the Transpower submission relates to the content of the previous version of the NPS, and not the revised content and direction of the updated NPS.
- (157) Given the limited scope of submissions, I do not consider the updated direction of the NPS-EN can be addressed in a comprehensive way. An attempt to address the NPS-EN in a piecemeal way, within the limited scope of submissions may mean some of the intent and direction of the NPS-EN is not fully reflected in the PDP.
- (158) There are also natural justice considerations in attempting to address updated natural policy direction after the submissions stage. The updated NPS-EN is less directive (than the previous) with regard to managing the adverse effects of electricity network activities. If this direction was to be incorporated into the PDP, this may be of concern to parties adjacent the electricity network, particularly those who may be affected by provisions in the PINF chapter to protect the electricity transmission network.

4.4 Discussion of submissions and recommendations

(159) This section is a discussion of the specific submission points on the Infrastructure chapter and definitions primarily associated with the chapter, with my recommendations on decisions requested by submitters on this topic.

(160) The structure for of this discussion is as follows:

- Provisions submitted on but not in dispute
- Submissions on parts and provisions of the Infrastructure chapter, including:
 - The Introduction and general matters
 - Objectives
 - Policies
 - Rules
 - Standards
- Submissions on definitions primarily associated with the Infrastructure chapter, specifically:
 - Aboveground mounted equipment
 - New definition – additional infrastructure
 - Ancillary transport network infrastructure
 - Functional need
 - Infrastructure, New definition – Waste management facility
 - Mount
 - Network utility operator
 - Operational need
 - Support structure, New definition – Pole
 - Transmission line
 - Transport network
 - Upgrading, New definition – Minor upgrading
 - New definition – Maintenance and repair

- (161) For the sake of brevity, where a submission is in support of a provision and I have not otherwise discussed it, I recommend accepting that submission point for the grounds set out in the Infrastructure s32 report.

4.4.1 Provisions submitted on but not in dispute

- (162) The following provisions have only submissions in support with no change sought:

Objectives

- INF-O2 (Adverse effects of infrastructure) – supported by Telecommunication Companies (311.25), Enviro NZ (323.25)¹, FENZ (374.18), NZTA (385.26), the NZ Defence Force (404.9b), Powerco (414.9), Wellington Water (422.1), KiwiRail (442.27), the Fuel Companies (471.94), Clarus (474.14), Transpower (504.23) and oOh Media (517.3)
- INF-O4 (Transport network)² – supported by Telecommunication Companies (311.27), FENZ (374.20), NZTA (385.26), KiwiRail (442.29) and oOh Media (517.5)

Rules

- INF-R4 (New vehicle access tracks and extensions to existing vehicle access tracks ancillary to infrastructure) – supported by Powerco (414.27) and KiwiRail (442.40), and a neutral status noted by Transpower (504.37a)
- INF-R5 (Temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure) – supported by Powerco (414.28)

¹ Enviro NZ states that their support for INF-O2 is conditional on other relief being accepted in relation to regional resource recovery or waste disposal facilities being considered as infrastructure. Elsewhere in this report I recommend the relief sought be rejected. Regardless, the submitter has not requested changes to this objective.

² While no submitters oppose objective INF-O4 or seek amendments to it, in response to a submission from the Telecommunications Companies (311.23) and Transpower (504.21) I recommend the addition of an advice note to the objective. This is discussed in section 4.4.3 of this report

- INF-R8 (New infrastructure located within existing buildings) – supported by the Telecommunication Companies (311.49), Powerco (414.30), and Wellington Water (F36.75, F36.76)
- INF-R22 (Ancillary transport network infrastructure) – supported by NZTA (385.32), KiwiRail (442.42) and oOh Media (517.19)
- INF-R23 (Upgrading transport network infrastructure, including cycleways and shared paths) – supported by NZTA (385.33), KiwiRail (442.43) and oOh Media (517.20).

Standards

- INF-S1 (Radiofrequency fields and electric magnetic fields) – supported by the Telecommunication Companies (311.58)
- INF-S3 (Underground infrastructure) – supported by the Telecommunication Companies (311.60), Powerco (414.36), the Fuel Companies (471.111) and Clarus (474.31)
- INF-S5 (Cabinets not located within road reserve or the rail corridor) – supported by the Telecommunication Companies (311.62), Powerco (414.38) and Clarus (474.33)
- INF-S10 (Height – Building mounted antennas not regulated by the NESTF) – supported by Telecommunication Companies (311.67)
- INF-S11 (Temporary Infrastructure – Duration) – supported by supported by Telecommunication Companies (311.68) and Powerco (414.39)
- INF-S12 (Customer connection lines) – supported by Telecommunication Companies (311.69)
- INF-S18 (Earthworks and vegetation removal – Reinstatement) – supported by Powerco (414.44) the Fuel Companies (471.115), Clarus (474.40), Transpower (504.42) and oOh Media (517.27)

Definitions

- Antenna – supported by the Telecommunication Companies (311.2)
- Cabinet– supported by the Telecommunication Companies, Powerco and Clarus (311.3, 414.1, 474.2)
- Customer connection line – supported by the Telecommunication Companies (311.5)
- National Grid – supported by Transpower (504.6)

- Road, road reserve, legal road – these three terms are supported by NZTA (385.18)

- (163) As these points are beyond contention, they should be accepted.
- (164) The PDP definition of “Cabinet” includes “electric vehicle charging stations where located within the road reserves”. Following the update to the NES for Electricity Transmission and Electric Vehicle Charging, I consider it is no longer necessary for the PDP to regulate electric vehicle charging facilities. If there were scope provided by submissions, I would recommend that the definition be amended to remove the reference to electric vehicle charging stations. I do not consider that there is scope to do so, however it may be something for the hearing panel to consider.

4.4.2 General matters

Submissions

- (165) Clarus (474.12) support in part the whole of the chapter, and seeks that it is retained as notified, except where relief on specific provisions is requested in their submission.
- (166) Health NZ (518.10) seeks that infrastructure provisions “relevant to Hutt Hospital” should “explicitly enable the Hospital and Health Care Activities at the Hutt Hospital with an appropriately permissive plan framework”.
- (167) The Director-General of Conservation (405) seeks the following relief in relation to the INF chapter:
- A new policy “to manage the effects of upgrading and developing infrastructure on indigenous biodiversity” (405.17)
 - Opposed by Transpower (F12.5), Powerco (F31.2), the Fuel Companies (F32.10) and Wellington Water (F36.68)
 - Amendments to the rules and standards to trigger resource consent and assessment of effects on biodiversity “for infrastructure activities that are of a scale or location that creates the potential for this type of effect” (405.18)
 - Opposed by Transpower (F12.6), Powerco (F31.3), the Fuel Companies (F32.11) and Wellington Water (F36.85)

- Amendments to the rules “to appropriately manage buildings, structures, earthworks and indigenous vegetation clearance associated with infrastructure within coastal and riparian margins” (405.19)
 - Opposed by Transpower (F12.7), Powerco (F31.4), the Fuel Companies (F32.12) and Wellington Water (F36.86).

Assessment

- (168) Provisions for Hutt Hospital are contained in the Hospital Zone, which I consider contains appropriately enabling provisions for health care activities.
- (169) Although the submission points of the Director-General for Conservation (405.17, 405.18, 405.19) do not relate to parts withdrawn from the PDP, I consider that the relief sought relates to topics which are no longer within scope. However for the sake of completeness I have included recommendations below.

Recommendations

- (170) Accept in part the submission point of Clarus (474.12).
- (171) Reject the submission point of Health NZ (518.10).
- (172) Reject the submission points of the Director-General of Conservation (405.17, 405.18, 405.19).

4.4.3 Introduction

Submissions

- (173) The Fuel Companies (471.92) support the chapter introduction and seek that it is retained as notified. The Telecommunication Companies (311.22) seeks that the text in the introduction under heading “other regulatory requirements” is retained as notified. Transpower support the chapter introduction in general (504.19) and text under “other regulatory requirements” in particular (504.20).
- (174) Several submitters sought amendments to the text under the heading “Relationship with other chapters”;

- The Telecommunication companies (311.23) – seeking the deletion of the text that states that objectives and policies in other chapters may be relevant.
- Enviro NZ (323.23a, 323.23b) supported by Waste Management NZ (F39.10, F39.11) – seeking amendments that specify that the Silverstream Landfill is subject to the objectives, policies and rules of the INF chapter only.
- WRC (452.31) – seeking that “green infrastructure” is removed from the list of items which are not provided for in the INF chapter.
- Transpower (504.21) – seeking amendments to identify the INF chapter as a standalone chapter for infrastructure activities.

Assessment

- (175) I agree with the Telecommunication Companies (311.22) and Transpower (504.20) to retain the “Other regulatory requirements” part of the introduction. However, an update to this section can made with respect the recently revised NES for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Regulations 2009 (NES-EDEV). An update is also expected this year for the NES for Telecommunication Facilities (NES-TF), however this has not been published at the time of writing this report. However, if the updated NES-TF is published prior to Council’s decisions on the PDP, this section may be able to be updated to reflect any new or amended national environmental standards.
- (176) I agree in part with the relief sought by Enviro NZ (323.23a, 323.23b) regarding Silverstream Landfill. Following the release of the NPS-I, I consider it is worth providing clarification in the introduction to the INF chapter about how the PDP provides for “additional infrastructure”. This would also support other recommendations made by the reporting officer for the opening hearing stream, and other recommendations in this report, which seek to add “additional infrastructure” as a defined term based on the NPS-I definition and to alter several strategic directions to refer to “additional infrastructure”.
- (177) For reasons previously stated (in section 4.3.1.4 of this report), I do not recommend the INF chapter be modified to provide specifically for green infrastructure (452.31). However, the INF chapter does provide for green

infrastructure, to the extent it is part of a stormwater network, and this should be clarified in the introduction.

- (178) Under the heading “Relationship with other chapters”, the chapter introduction as notified, states the INF chapter does not include provisions for green infrastructure. To address the submissions of Enviro NZ (323.23a, 323.23b) and WRC (452.31), I recommend that this be modified to refer to both green infrastructure and additional infrastructure, to the extent that these activities are not part of a stormwater network (in which case they are provided for in the INF chapter).
- (179) I agree in part with the Telecommunication Companies (311.23) and Transpower (504.21) that the INF chapter should stand alone as far as practical in providing for infrastructure activities. However, the INF chapter provisions were drafted on the basis that some objectives and policies of other chapters would be applicable, and this is reflected in the wording of the introduction to the INF chapter as notified. Notwithstanding this, I consider that the wording of the introduction can be refined to provide more specificity of what objectives and policies of other chapters are relevant to consider for infrastructure activities.
- (180) I consider that the objectives of other district-wide chapters are relevant to infrastructure activities. The outcomes of these objectives are relevant to all activities regulated in the district plan, and are not otherwise expressly incorporated within the objectives of the INF chapter. I consider that the policy direction within the INF chapter is sufficient to support achieving these objectives, whereby the policies of other district-wide chapters need not apply.
- (181) With regard to the objectives and policies of area-wide chapters, I consider that these will apply in limited circumstances that can be directly referenced in the INF chapter. Objective INF-O4 and policy INF-P7 provide direction for developing the transport network in relation to the planned outcomes for zones and precincts. INF-P14 provides similar direction in relation to infrastructure within the Active Street Frontage Overlay. I consider that zone objectives, particularly those pertaining to the planned character and planned urban built environment, are relevant to implementing these provisions. I consider there are no other clear

instances where the objectives or policies of other area-wide chapters would support the implementation of INF chapter provisions.

- (182) I recommend amending the text under “Relationship with other chapters” to clarify that the objectives of area-wide chapters are relevant to activities regulated by rules of the INF chapter, and objectives and policies in area-wide chapters are only relevant if specified in a provision of the INF chapter, and to add advice notes on this basis to INF-O4, INF-P7 and INF-P14.
- (183) I do not agree with the amendments proposed by Transpower (504.21) which reframes the list of items not included in the INF chapter as “exceptions”, as I do not consider all of the listed items to be infrastructure activities. The list describes activities rather than chapters, whereby I do not agree with the items Transpower propose to add to the list.

Recommendations

- (184) Accept in part the submission points of the Fuel Companies (471.92) and Transpower (504.19), which support the Introduction of the Infrastructure chapter in general.
- (185) Accept in part the submission points of the Telecommunication Companies (311.22) and Transpower (504.20), which seek the “other regulatory requirements” of the introduction as notified, and update to reflect the revised NES for Electricity Transmission and Electric Vehicle Charging Activities 2009.
- (186) Accept in part the submission points of the Telecommunication Companies (311.23) and Transpower (504.21), which relate to whether the objectives and policies of other chapters are relevant for infrastructure and whether the Infrastructure chapter is a standalone chapter for infrastructure activities.
- (187) Accept in part the submission point of Enviro NZ (323.23a, 323.23b), which relate to the Silverstream Landfill and clarify the relationship between the INF chapter and additional infrastructure.
- (188) Accept in part the submission point of Wellington Regional Council (452.31), which relates to green infrastructure.
- (189) Amend the INF chapter introduction as follows:

Other regulatory requirements

Additional regulatory requirements, which are separate to the District Plan or Regional Council planning documents, but are relevant to infrastructure include:

- *The Resource Management (National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Regulations 2009 (NESETA),*
- *...*

Relationship with other chapters

The Infrastructure chapter includes provisions for operating, maintaining, repairing, developing, upgrading and decommissioning infrastructure. These infrastructure activities are excluded from most rules in other chapters of the District Plan (details on which other rules apply to infrastructure are given at the beginning of the rules section of this chapter). The provisions of the INF chapter should be read in conjunction with the objectives of other district-wide chapters, where relevant. The objectives of zone chapters are only relevant where specified within a provision of the INF chapter; however objectives and policies in other chapters may be relevant.

The Infrastructure chapter does not include provisions which address the following:

- *Green infrastructure and additional infrastructure (except those components which are part of a stormwater network),*
- *Flood mitigation works (Natural Hazards chapter),*
- *Hard engineering coastal hazard mitigation works (Coastal Environment-Hazards chapter),*
- *...*

(190) And include the following advice notes with INF-O4, INF-P7 and INF-P14:

INF-O4 / INF-P7

This objective / policy is to be read in conjunction with objectives in the relevant zone chapters which describe the planned character and

planned urban built environment, or purpose and character, of the relevant zone or precinct.

INF-P14

This policy is to be read in conjunction with objectives and policies in the relevant zone chapters which describe the outcomes sought for pedestrian environments and the Active Street Frontage Overlay.

4.4.4 Objectives

4.4.4.1 INF-O1 Benefits of infrastructure

Submissions

- (191) The Telecommunication Companies (311.24), NZTA (385.26), the NZ Defence Force (404.9a), Powerco (414.8), Wellington Water (422.1), KiwiRail (442.26), the Fuel Companies (471.93), Clarus (474.13), Transpower (504.22) and oOh Media (517.2) support the objective and seek that it is retained as notified.
- (192) Enviro NZ (323.24) supports the objective, and seeks that it is retained as notified (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (193) WRC (452.33), supported in part by Wellington Water (F36.2), seek that the objective description and wording is amended as follows:

INF-O1 Benefits of infrastructure and green infrastructure

The national, regional and local benefits of infrastructure and green infrastructure are recognised and provided for.

Assessment

- (194) In response to WRC (452.33), I have discussed the provision for green infrastructure in section 4.3.1.4 of this report. I do not support broad provision for “green infrastructure” in the INF chapter, as the defined term includes activities beyond the meaning of “infrastructure” as defined in the PDP, and which are addressed elsewhere in the plan. The INF chapter does include provisions for developing stormwater networks which can be a type of green infrastructure (if it mimics or incorporates natural features or processes). To this end, it is appropriate to provide some direction which recognises the benefits of stormwater networks which are green

infrastructure. On this point I have recommended changes to INF-P1 (discussed in section 4.4.5.2 of this report).

Recommendations

- (195) Accept the submission points of the Telecommunication Companies (311.24), NZTA (385.26), the NZ Defence Force (404.9a), Powerco (414.8), Wellington Water (422.1), KiwiRail (442.26), the Fuel Companies (471.93), Clarus (474.13), Transpower (504.22) and oOh Media (517.2).
- (196) Accept the submission point of Enviro NZ (323.24).
- (197) Reject the submission point of WRC (452.33).
- (198) Retain the objective INF-O1 as notified.

4.4.4.2 INF-O3 Infrastructure availability and capacity

Submissions

- (199) FENZ (374.19), NZTA (385.26), Wellington Water (422.1), KiwiRail (442.28), the Fuel Companies (471.95), Clarus (474.15) and oOh Media (517.4) support the objective and seek that it is retained as notified. The Fuel Companies (F32.14) support the submission point of Clarus (474.15).
- (200) Enviro NZ (323.26) supports the objective, and seeks that it is retained as notified (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (201) The Telecommunication Companies (311.26), supported in part by Wellington Water (F36.3) and opposed by NZTA (F20.4), seek that the objective is amended as follows:

Enable ~~safe, resilient, sustainable, responsive and efficient~~ infrastructure that is well integrated with, and able to meet the needs of, subdivision, use, and development.
- (202) WRC (452.34), support in part by Wellington Water (F36.4), seek that the objective is amended as follows:

Enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of, subdivision, use, and development, prioritising the use of green infrastructure as far as practicable.

Assessment

- (203) I disagree with the Telecommunication Companies (311.26) with respect to their request to remove the words “safe, resilient, sustainable, responsive and efficient” from INF-O4. I consider that the inclusion of these words can be understood through their ordinary meaning and when read in context with the other wording in the objective – “to meet the needs of subdivision, use and development”. The inclusion of “sustainable” and “resilient” in particular was informed at the drafting stage by a review of the alignment of the plan to directions on climate change. I consider it aligns with Objective 8 of the NPS-UD and Policy 1 of the NPS-I. In turn, the objective in its current wording is supported through provisions in the chapter, particularly INF-P3.3 and INF-P5.3.
- (204) For reasons previously stated (see section 4.3.1.4 of this report), I do not recommend the INF chapter be modified to prioritise green infrastructure.

Recommendations

- (205) Accept the submission points of FENZ (374.19), NZTA (385.26), Wellington Water (422.1), KiwiRail (442.28), the Fuel Companies (471.95), Clarus (474.15) and oOh Media (517.4).
- (206) Accept the submission point of Enviro NZ (323.26).
- (207) Reject the submission points of the Telecommunication Companies (311.26) and WRC (452.34).
- (208) Retain objective INF-O3 as notified.

4.4.4.3 New objective – protect infrastructure

Submissions

- (209) Wellington Water (422.2) seek a new objective is added to the INF chapter. The content of which is as follows:

The function and operation of infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.

Assessment

- (210) The protection of infrastructure is addressed in the Protection of infrastructure chapter (PINF), which includes objective PINF-O1 Adverse effects on infrastructure.

Recommendations

- (211) Reject the submission point of Wellington Water (422.4).

4.4.5 Policies

4.4.5.1 General

Submission

- (212) KiwiRail (442.30) supports policies for new and upgraded infrastructure within overlays being located in the INF chapter.
- (213) While this submission point largely relates to overlays that have been withdrawn from the PDP, as it also relates to the Active Street Frontage Overlay and High Natural Hazard Overlay, the submission point is still relevant.

Recommendation

- (214) Accept the submission point of KiwiRail (442.30).

4.4.5.2 INF-P1 Recognise benefits of infrastructure

Submissions

- (215) The Telecommunication Companies (311.28), FENZ (374.21), NZTA (385.27), the NZ Defence Force (404.9c), Powerco (414.10), KiwiRail (442.31), the Fuel Companies (471.96), Transpower (504.24) and oOh Media (517.6) support the policy and seek that it is retained as notified.
- (216) Enviro NZ (323.27) supports the policy (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (217) Wellington Water (422.3) seeks the policy is amended as follows:

Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including:

1. Enabling maintenance and enhancement of the quality of life and standard of living for people and communities,

2. Providing for public health, ~~and~~ safety, and resilience,

...

(218) WRC (452.35) seek to amend the policy as follows:

INF-P1 Recognise benefits of infrastructure and green infrastructure

Recognise the social, economic, cultural and environmental benefits that infrastructure, particularly green infrastructure, provide, including:

1. *Enabling enhancement of the quality of life and standard of living for people and communities,*
2. *Improving ecosystem health, resilience and indigenous biodiversity,*
3. *Providing for public health and safety,*
4. *Enabling businesses to function,*
5. *Enabling growth, access and development,*

...

(219) Clarus (474.16) seek to amend clause 7 of the policy as follows:

Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including:

...

7. *Enabling the effective, safe, secure and efficient transmission of electricity, gas and liquid fuels.*

Assessment

(220) I generally agree with the amendments sought by Wellington Water (422.3). I think it is correct to acknowledge the “maintenance” of the quality of life and standard of living of people and communities, as a benefit of infrastructure. I also agree that incorporating “resilience” into clause 2 is valid, however I consider the reading of the clause can be improved with a slight alteration to that proposed by the submitter.

(221) For reasons previously stated (see section 4.3.1.4 of this report), I do not recommend the INF chapter be modified to broadly provide for “green infrastructure” (452.35). The INF chapter does not provide for all types of green infrastructure, but does include provisions for stormwater networks.

- (222) I agree in part with suggested sub-clause which incorporates the benefits of green infrastructure. However, I consider it should be modified to be specific to stormwater networks. This will achieve closer alignment with RPS Change 1 Policy CC.4 and its directions for nature-based solutions for infrastructure.
- (223) I agree with the point made by WRC (452.35), that sub-clause 5, referring to the transportation of freight, goods and people, is too narrow to encapsulate the concept of access, and that this can be a benefit of infrastructure beyond providing physical connections in the transport network.
- (224) I disagree with the relief sought by Clarus (474.16). The benefits described in the policy are described in a general way with little reference to specific infrastructure types. Although clause 7 refers to electricity transmission specifically, this was informed by the NPS-ET (since updated). I consider adding a specific reference to gas and liquid fuels is not consistent with the general wording of the policy.

Recommendation

- (225) Accept in part the submission points of the Telecommunication Companies (311.28), Enviro NZ (323.27), FENZ (374.21), NZTA (385.27), the NZ Defence Force (404.9c), Powerco (414.10), KiwiRail (442.31), the Fuel Companies (471.96), Transpower (504.24) and oOh Media (517.6), in that the policy be retained subject to amendments in response to other submission points.
- (226) Accept in part the submission point of Wellington Water (422.3).
- (227) Accept in part the submission point of WRC (452.35).
- (228) Reject the submission point of Clarus (474.16).
- (229) Amend policy INF-P1 as follows:
- Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including:*
- 1. Enabling enhancement of the quality of life and standard of living for people and communities,*

2. Providing for ~~public the~~ health, ~~and~~ safety and resilience of people and communities,
3. Enabling businesses to function,
4. Enabling growth, access and development,
5. Enabling the transportation of freight, goods and people,
6. Providing a lifeline during emergencies, ~~and~~
7. Enabling the effective, safe, secure and efficient transmission of electricity, and
8. Improving the quality of water, air or soil, and ecosystem health, resilience and indigenous biodiversity, where natural or semi-natural features or processes are incorporated into stormwater networks.

4.4.5.3 INF-P2 Provide for infrastructure

Submissions

- (230) The Telecommunication Companies (311.29), NZTA (385.27), the NZ Defence Force (404.9d), Powerco (414.11), KiwiRail (442.32), the Fuel Companies (471.97), Clarus (474.17), Transpower (504.25) and oOh Media (517.7) support the policy and seek that it is retained as notified. Wellington Water (F36.6, F36.7, F36.8, F36.9, F36.10, F36.11) supports most of these points.
- (231) Enviro NZ (323.27a)³ support the policy, conditional on acceptance of other relief requested in the submission.
- (232) WRC (452.36) seeks amendments to the policy as follows:
- INF-P2 Provide for infrastructure and green infrastructure*
- Provide for infrastructure by:*
1. *Enabling safe, resilient, effective, and efficient operation, maintenance, repair, minor upgrade, or decommissioning of infrastructure and green infrastructure,*

³ This submission point was accidentally omitted from the Summary of Decisions Requested.

2. *Providing for other upgrades to, and the development of new infrastructure and green infrastructure, and*
3. *Enabling investigation and monitoring activities associated with infrastructure and green infrastructure operations.*

Assessment

- (233) For reasons previously stated, I do not recommend the INF chapter be modified to specifically refer to “green infrastructure” (452.36). The INF chapter only includes provisions for the stormwater network components of “green infrastructure”. This is adequately covered by the term “infrastructure” as used in the policy.

Recommendations

- (234) Accept the submission points of the Telecommunication Companies (311.29), NZTA (385.27), the NZ Defence Force (404.9d), Powerco (414.11), KiwiRail (442.32), the Fuel Companies (471.97), Clarus (474.17), Transpower (504.25) and oOh Media (517.7)
- (235) Accept the submission point of Enviro NZ (323.27a).
- (236) Reject the submission point of WRC (452.36).
- (237) Retain policy INF-P2 as notified.

4.4.5.4 INF-P3 Planning and delivery of infrastructure

Submissions

- (238) The Telecommunication Companies (311.30), FENZ (374.22), Powerco (414.12), KiwiRail (442.33), the Fuel Companies (471.98), Clarus (474.18), Te Āti Awa (503.27), Transpower (504.26) and oOh Media (517.8) support the policy and seek that it is retained as notified. Wellington Water (F36.13, F36.15, F36.17, F36.18, F36.20, F36.21, F36.22, F36.23) supports most of these points.
- (239) Enviro NZ (323.28), supported by Wellington Water (F36.14), supports the policy (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (240) NZTA (385.28), supported by Wellington Water (F36.16), seeks to amend clause 5 of the policy as follows:

Ensure that infrastructure planning and delivery is coordinated and responsive by:

...

5. *Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors where appropriate to do so.*

...

- (241) WRC (452.37) seeks amendments to add “green infrastructure” to each of the clauses of the policy, and in the description of the policy.

Assessment

- (242) I disagree with the relief sought by NZTA (385.28). I consider the addition of the words “where appropriate to do so” to INF-P3.5 to be redundant in the context of the non-directive wording of “encouraging”. In the reasoning for their submission point, NZTA state that roads may not always be appropriate as road corridors. I agree, however the clause encourages co-location generally and only refers to road corridors as an example.
- (243) For reasons previously stated, I do not recommend the INF chapter be modified to broadly provide for “green infrastructure” (452.37). The INF chapter only includes provisions for the stormwater network components of “green infrastructure”. This is adequately covered by the term ‘infrastructure’ as used in the policy.

Recommendations

- (244) Accept the submission points of the Telecommunication Companies (311.30), FENZ (374.22), Powerco (414.12), KiwiRail (442.33), the Fuel Companies (471.98), Clarus (474.18), Te Āti Awa (503.27), Transpower (504.26) and oOh Media (517.8).
- (245) Accept the submission point of Enviro NZ (323.28).
- (246) Reject the submission points of NZTA (385.28) and WRC (452.37).
- (247) Retain policy INF-P3 as notified.

4.4.5.5 INF-P4 Technological advances

Submissions

- (248) The Telecommunication Companies (311.31), NZTA (385.27), Powerco (414.13), the Fuel Companies (471.99), Te Āti Awa (503.28a), Transpower (504.27) and oOh Media (517.9) support the policy and seek that it is retained as notified. Wellington Water (F36.24, F36.26, F36.27, F36.28, F36.29, F36.31, F36.34, F36.36) supports most of these points
- (249) Enviro NZ (323.29), supported by Wellington Water (F36.25), supports the policy (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (250) Clarus (474.19), supported by Wellington Water (F36.35), seeks that clause 3 of the policy is amended as follows:
- Provide flexibility to adopt new technologies for infrastructure that:*
- ...
3. *Facilitate a transition to renewable electricity and other renewable energy sources, or*
- ...

Assessment

- (251) I consider the relief requested by Clarus is valid in the context of the intent of INF-P4, which is to provide for future technological advances which are yet to arrive. However, I consider some alterations to the wording proposed by the submitter will ensure that clause 3 will remain aligned with Council directions with respect to low-emission futures.

Recommendations

- (252) Accept in part the submission points of the Telecommunication Companies (311.31), Enviro NZ (323.29), NZTA (385.27), Powerco (414.13), the Fuel Companies (471.99), Te Āti Awa (503.28a), Transpower (504.27) and oOh Media (517.9), in that the policy be retained but with an amendment in response to submission point 474.19 (of Clarus).
- (253) Accept in part the submission point of Clarus (474.19), and
- (254) Amend sub-clause (3) of policy INF-P4 as follows:

INF-P4 Technological advances

Provide flexibility to adopt new technologies for infrastructure that:

...

3. Facilitate a transition to renewable electricity and other energy sources which are renewable and have low emissions, or

...

4.4.5.6 INF-P5 Adverse effects of infrastructure

Submissions

- (255) Heritage NZ (248.20), the Telecommunication Companies (311.32), FENZ (374.23), NZTA (385.27), Powerco (414.14), KiwiRail (442.34), the Fuel Companies (471.100), Clarus (474.20), Transpower (504.28) and oOH Media (517.10) supports the policy and seeks that it is retained as notified.
- (256) Wellington Water (F36.37, F36.39, F36.40, F36.41, F36.42, F36.43, F36.44, F36.46, F36.48, F36.49) supports most of these points.
- (257) Enviro NZ (323.30) supports the policy (conditional to resource recovery and waste disposal facilities being considered as infrastructure). This point is supported by Wellington Water (F36.32, F36.47).
- (258) Wellington Water (422.4) seeks amendments to the chapeau of the policy as follows:

Provide for infrastructure while appropriately avoiding, remedying or mitigating ~~Avoid, remedy, or mitigate the~~ adverse effects of infrastructure, ~~as far as practicable~~, including effects on:

...

Assessment

- (259) I disagree with the relief requested by Wellington Water (422.4). INF-P5 is to be read in conjunction with other INF policies, including INF-P2 (Provide for the benefits of infrastructure), whereby the addition of the words "Provide for infrastructure while..." is unnecessary. I disagree with the submitter's reasons that including the words "as far as practicable" places a more stringent obligation on managing effects than if these words were not included. I consider the opposite to be the case, and that the inclusion of these words correspond with a more lenient expectation.

Recommendation

- (260) Accept the submission points of Heritage NZ (248.20), the Telecommunication Companies (311.32), FENZ (374.23), NZTA (385.27), Powerco (414.14), KiwiRail (442.34), the Fuel Companies (471.100), Clarus (474.20), Transpower (504.28) and oOH Media (517.10).
- (261) Accept the submission point of Enviro NZ (323.30).
- (262) Reject the submission point of Wellington Water (422.4).
- (263) Retain policy INF-P5 as notified.

4.4.5.7 INF-P6 Consideration of the adverse effects of infrastructure

Submissions

- (264) Heritage NZ (248.21), the Telecommunication Companies (311.33), NZTA (385.27), the Fuel Companies (471.101), Clarus (474.21) and oOH Media (517.11) supports the policy and seeks that it is retained as notified.
- (265) Enviro NZ (323.31) supports the policy (conditional to resource recovery and waste disposal facilities being considered as infrastructure).
- (266) Powerco (414.15), supported by Wellington Water (F36.52), seeks amendments to the policy as follows:

When considering the adverse effects of infrastructure on the environment, have regard to the following:

...

2. *Recognising that co-location of infrastructure, shared use of infrastructure corridors and undergrounding of infrastructure may, where practicable, provide opportunities for avoiding and minimising adverse effects,*
3. *Where significant adverse effects cannot be avoided due to the functional needs and operational needs of the infrastructure to be in that location, then the extent to which those adverse effects are minimised by the infrastructure design or operation,*

...

- (267) KiwiRail (442.35) seeks that the policy is amended as follows:

INF-P6 Consideration of the ~~adverse~~ effects of infrastructure

When considering the ~~adverse~~ effects of infrastructure on the environment, have regard to the following:

1. The time, duration and frequency of adverse effects,
2. ~~Whether it is practicable to reduce effects through the~~ Recognising ~~that~~ co-location of infrastructure, shared use of infrastructure corridors and undergrounding of infrastructure ~~provide opportunities for avoiding and minimising adverse effects,~~
3. ~~Whether infrastructure has~~ Where adverse effects cannot be avoided ~~due to the~~ functional needs and /or operational needs ~~of the infrastructure~~ to be in that location,
4. ~~Whether then the extent to which those~~ adverse effects are minimised to the extent practicable by ~~the~~ infrastructure design or operation,
5. ~~Whether~~ Where adverse effects cannot be avoided or minimised, then the extent to which those adverse effects can be remedied, mitigated or offset,
6. Anticipated outcomes for the receiving environment and the degree to which past modifications have compromised the achievement of those outcomes, and
7. [to be removed due to plan-stop requirements]
8. The local, regional and national benefits of activities and development associated with Regionally Significant Infrastructure, including any improvements in the safety, efficiency, and reliability of operations, transport connectivity and/or improved resilience to natural hazards and climate change.

(268) Transpower (504.29), supported by Wellington Water (F36.53) and opposed by Forest and Bird (F23.13), seeks amendments to the policy as follows:

When considering the adverse effects of infrastructure on the environment, have regard to the following:

...

2. Recognising that subject to operational constraints, co-location of infrastructure, shared use of infrastructure corridors and undergrounding of infrastructure provide opportunities for avoiding and minimising adverse effects,

...

4. Where adverse effects cannot be avoided or minimised, then the extent to which those adverse effects can be remedied, mitigated or offset, and

~~5.—[delete]~~

~~6.—[delete]~~

- x. The benefits derived from the infrastructure at a local, regional and national scale.

Assessment

- (269) I agree with those amendments suggested by KiwiRail (442.35) which correct the syntax of the policy. I consider their suggested amendment to clause (2), which adds the qualifier “where practicable”, also addresses relief sought on this clause by Powerco (414.15) and Transpower (504.29).
- (270) The intent of policy INF-P6 is to provide direction on matters to consider when assessing effects, rather than providing directives on the standard to which effects should be managed. For this reason, I do not support the amendment requested by Powerco (414.15) in relation to clause (3). However, I consider adding the qualifier “where appropriate” to clause (2) is appropriate, as it recognises that co-location of infrastructure is not a relevant consideration in all cases.
- (271) I also disagree with KiwiRail (442.35), where they propose to broaden the policy to encompass positive effects and benefits, as these matters are addressed in other policies.

Recommendations

- (272) Accept in part the submission points of Heritage NZ (248.21), the Telecommunication Companies (311.33), Enviro NZ (323.31), NZTA (385.27), the Fuel Companies (471.101), Clarus (474.21) and oOH Media (517.11), in that

the policy be retained but with amendments recommended in response to requests of other submitters.

(273) Accept in part the submission points of Powerco (414.15), KiwiRail (442.35) and Transpower (504.29).

(274) Amend policy INF-P6 as follows:

When considering the adverse effects of infrastructure on the environment, have regard to the following:

1. *The time, duration and frequency of adverse effects,*
2. *Whether it is practicable to reduce adverse effects through the*
~~Recognising that~~ co-location of infrastructure, shared use of
infrastructure corridors or ~~and~~ undergrounding of infrastructure
~~provide opportunities for avoiding and minimising adverse effects,~~
3. *Whether ~~Where~~ adverse effects cannot be avoided due to the*
functional needs and operational needs of the infrastructure to be in
that location,
4. *~~then~~ The extent to which ~~these~~ adverse effects that cannot be*
avoided are minimised by the infrastructure design or operation,
45. *Where adverse effects cannot be avoided or minimised, then the*
extent to which those adverse effects can be remedied, mitigated or
offset, and
56. *Anticipated outcomes for the receiving environment and the degree*
to which past modifications have compromised the achievement of
those outcomes, ~~and~~
6. *[to be removed due to plan-stop requirements]*

4.4.5.8 INF-P7 Upgrading and developing the transport network

Submissions

(275) The Telecommunication Companies (311.34), NZTA (385.27), Powerco (414.16) and oOH Media (517.12) support the policy and seek that it is retained as notified.

(276) FENZ (374.24) seeks to amend clause 3 of the policy as follows:

Provide for upgrading and developing the transport network where, as far as practicable, it:

...

3. *Improves connectivity for and integration between all transport modes, including by:*

...

- b. *Allocating adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles, including emergency service/s vehicles, and on-street parking, and*

...

- (277) WRC (452.39) also seeks to amend clause 3:

Provide for upgrading and developing the transport network where, as far as practicable, it:

...

3. *Improves connectivity for and integration between all transport modes, including by:*

...

- b. *Allocating adequate space in the road corridor for walking, cycling, public transport infrastructure, streetlighting and street trees as well as vehicles (including public transport vehicles) and on-street parking (where appropriate), and*

- (278) KiwiRail (442.36) seeks amendments to the policy as follows:

Provide for upgrading and developing the transport network where, as far as practicable, it:

...

2. *Maintains or improves ~~Does not compromise~~ the safety, efficiency, and resilience of the transport network,*

...

~~4.—Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located.~~

Assessment

- (279) I disagree with FENZ (374.24) and WRC (452.39) where they have requested that sub-clause 3(b) specifies emergency vehicles and public transport vehicles. The policy as written is to provide adequate space for vehicles, which I consider covers these vehicle types without their needing to be specified.
- (280) I agree with WRC (452.39) regarding the reference to public transport infrastructure in clause 3(b). I consider this appropriate as the clause lists other modes. I also agree with their relief with regard to on-street parking, as provision of on-street parking may not always be feasible or a priority compared to other road corridor functions.
- (281) I agree with the amendment to clause 2 requested by KiwiRail (442.36). “Maintains or improves” is an appropriate direction for infrastructure providers who are responsible for providing and maintaining the transport network. The words “do not compromise” are too ambivalent and does not reflect this responsibility.
- (282) I disagree with the request of KiwiRail for the deletion of clause 4, as the transport network forms a large physical part of urban environments, and thereby can have a significant impact on the extent to which amenity and character outcomes for the built environment which are described in zone chapters, can be achieved.
- (283) As detailed in my assessment on submission points in relation to the introduction to the INF chapter, I consider it is appropriate to include an advice note to INF-P7, which describes the relationship of INF-P7.4 to objectives and policies in the zone chapters.

Recommendations

- (284) Accept in part the submission points of the Telecommunication Companies (311.34), NZTA (385.27), Powerco (414.16) and oOH Media (517.12), in that the policy be retained but with amendments in response to requests of other submission points.

- (285) Reject the submission point of FENZ (374.24).
- (286) Accept in part the submission points of KiwiRail (442.36) and WRC (452.39).
- (287) Amend policy INF-P7 as follows:

Provide for upgrading and developing the transport network where, as far as practicable, it:

1. *Supports the growth of active and public transport modes,*
2. *Maintains or improves ~~Does not compromise~~ the safety, efficiency, and resilience of the transport network,*
3. *Improves connectivity for and integration between all transport modes, including by:*
 - a. *Providing and enhancing active transport connections to existing active transport and public transport networks,*
 - b. *Allocating adequate space in the road corridor for walking, cycling, public transport infrastructure, streetlighting and street trees as well as vehicles and on-street parking (where appropriate), and*
 - c. *Avoiding permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints.*
4. *Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located.*

Note:

This policy is to be read in conjunction with objectives in the relevant zone chapters which describe the planned character and planned urban built environment, or purpose and character, of the relevant zone or precinct.

4.4.5.9 INF-P8 Upgrading and developing the National Grid

Submissions

- (288) Transpower (504.30), opposed by Forest and Bird (F23.14), have proposed replacement wording for the entire policy as follows:

INF-P8 Upgrading and developing the National Grid In providing for upgrading (that is not a minor upgrade) and developing of the National Grid:

1. Have regard to the extent to which any adverse effects have been avoided, remedied or mitigated, including by the route, site and method selection and techniques and measures proposed;
2. Recognise the constraints arising from the operational needs and functional needs of the National Grid, and the existing nature of the assets, when considering measures to avoid, remedy or mitigate any adverse effects;
3. Recognise the potential benefits of upgrades and development to people and communities;
4. In relation to upgrading of the National Grid (that is not a minor upgrade):
 - a. Where appropriate, consider opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade; and
 - b. Remedying or mitigating, to the extent practicable, any adverse effects which cannot be avoided or minimised;
5. In relation development of the National Grid:
 - a. In urban zones and open space zones within an urban area: and
 - i. adverse effects on urban amenity should be minimised; and
 - ii. adverse effects on the Metropolitan Centre Zone, City Centre Zone, areas of high recreational or amenity value, and existing sensitive activities should be avoided;
 - b. Seek to avoid the adverse effects of the National Grid within areas identified in SCHED4 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED1 - Heritage Buildings and structures, SCHED2 - Heritage Areas, and SCHED6 - Sites and Areas of Significance to Māori.

c. Allow development to proceed where the National Grid has a functional or operational need to locate within the Coastal Environment and

i. It is not practicable to avoid adverse effects within areas identified in, SCHED4 – Outstanding Natural Features and Landscapes inside of the Coastal Environment, SCHED5 – Outstanding Coastal Natural Character Areas and High and Very High Coastal Natural Character Areas, and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010, provided satisfactory measures are taken to remedy or mitigate the residual adverse effects; and

ii. Seek to avoid significant adverse effects on other areas of natural character, natural attributes and character of other natural features and landscapes, and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010, and avoiding, remedying or mitigating other adverse effects to the extent practicable.

d. Remedying or mitigating, to the extent practicable, any adverse effects which cannot be avoided or minimised; and

6. In the event of conflict, Policy INF-P8 prevails over other provisions in the Plan.

(289) More generally, Transpower (504.1) have requested non-specific that the PDP is amended “as appropriate to give effect to the NPSET”.

(290) The Director-General of Conservation (405.14), opposed by Transpower (F12.4), seeks that policy INF-P8 is amended “to achieve a better balance in giving effect to the RMA, NZCPS and NPSET, in particular by strengthening the policy in relation to the management of effects on indigenous biodiversity, and the management of effects on natural character and landscape values in the coastal environment”

Assessment

(291) In their reasons, Transpower noted the following concerns with the notified policy:

- It inadequately reflects softer wording used in NPS-ET policies 6, 7 and 8, in relation to directives for managing adverse effects, particularly the use of the word “should”,
- The inclusion of minor upgrading in sub-clause 5(a) of the policy,
- Sub-clause 5(b) includes direction to consider the constraints arising from operational and functional needs and technical requirements of the National Grid, in managing adverse effects. However, there is an exemption to this sub-clause applying to clause (1) of the policy,
- That general clauses which relate to both upgrading and developing do not reflect specific directions of the NPS-ET or the nature of existing assets in Lower Hutt.

(292) I agree that the clauses 1, 2 and 5(d) do not accurately reflect the tone of the direction in NPS-ET policies 6, 7 and 8, as softened by the word “should”. I consider that the submitter’s arguments on the significance of the word “should” in the NPS-ET policies in softening the edge of the directives in these policies, is supported by the general direction of the NPS-EN.

(293) However, I do not consider that it is necessary to use the word “should” to give effect to these policies. I do not favour the use of the word “should” as it is vague and does not fit the syntax of the policy. I note there is not a single instance of the word being used in the PDP. I consider the wording “to the extent practicable”, achieves a suitable balance of providing clear direction to the plan users while aligning with the NPS-ET.

(294) I agree that there is not a good rationale to exclude sub-clause 5(b) from applying to the consideration of adverse effects under clause 1. The sub-clause is intended to incorporate direction from policy 3 of the NPS-ET, and I consider it is relevant to the adverse effects described under clause 1 of INF-P8.

(295) I agree that the policy should be clarified to be specific to non-minor upgrading and developing, and this includes the deletion of sub-clause 5(a). The policy incorporates NPS directions which are not specific to minor upgrading.

(296) I disagree that there is sufficient reasoning to split the policy direction between upgrading and developing the National Grid, as outlined in the structure of Transpower’s suggested replacement policy. Of the NPS-ET policies reflected in INF-P8, only policy 6 is clearly specific to upgrading

only, and not to other development of the National Grid. However, I consider this specificity is captured within sub-clause 5(d) of INF-P8 as notified.

- (297) I also do not consider it necessary to address the relationship of the policy with other INF policies through a clause of INF-P8. I consider that this is adequately addressed within the advice note included in the notified policy.
- (298) I consider that the replacement policy suggested by Transpower is unnecessarily long, repetitive and has poor syntax through forcing the use of the word “should”. This contributes to poor readability. I have recommended amendments to INF-P8, which I consider address the concerns identified by the submitter that I agree with, while maintaining a streamlined and coherent structure.
- (299) I consider that the relief I have recommended to policy INF-P8 and other provisions pertinent to the National Grid, sufficiently addresses the relief of Transpower’s general submission point (504.1).
- (300) The relief sought by the Director-General of Conservation (405.14) relates primarily to matters which have been withdrawn from the PDP (indigenous biodiversity, natural character and landscape values in the coastal environment). However, due to the broad framing of the requested relief, specifically “to achieve better balance in giving effect to the RMA, NZCPS and NPSET”, I do not consider the submission point to be out of scope of the PDP. Notwithstanding this, I consider my assessment and recommendations in response to Transpower’s submission (504), sufficiently addresses the submission of the Director-General of Conservation (405.14), to the extent it can be addressed within the remaining scope of the PDP.

Recommendations

- (301) Accept in part the submission points of Transpower (504.1, 504.30).
- (302) Accept in part the submission point of the Director-General of Conservation (405.14).
- (303) Amend policy INF-P8 as follows:
- INF-P8 Upgrading (other than minor upgrading) and developing the National Grid*

Provide for upgrading ~~(other than minor upgrading)~~ and developing of the National Grid, while:

1. ~~To the extent practicable Avoiding adverse effects on:~~

- a. ~~Avoiding adverse effects on t~~The City Centre Zone, and e
- b. Existing activities sensitive to the National Grid where located within urban areas,
- c. ~~[to be removed due to plan-stop requirements]~~
- d. ~~[to be removed due to plan-stop requirements]~~.

~~b2.~~ Seeking to avoid adverse effects on:-

- ~~a.~~ ~~e~~Existing activities sensitive to the National Grid where located within rural environments,
- ~~b.~~ ~~[to be removed due to plan-stop requirements]~~
- ~~c.~~ ~~[to be removed due to plan-stop requirements]~~

~~c3.~~ Minimising adverse effects on urban amenity where located within urban areas,

~~d4.~~ Remedying or mitigating, ~~to the extent practicable,~~ any adverse effects which cannot be avoided or minimised, and

~~25.~~ Having regard to the following matters while considering any adverse effects:

~~a.~~ ~~Enabling upgrades which have minor adverse effects on the environment,~~

~~a.b.~~ ~~Except where clause 1 of this policy applies, considering t~~The constraints arising from the operational needs, functional needs, and technical requirements of the National Grid, on the ability to avoid, remedy of mitigate adverse effects,

~~b.e.~~ Whether any adverse effects have been avoided, remedied or mitigated by the route, site and method selection, and

~~cd.~~ Opportunities provided by any substantial upgrades to reduce existing adverse effects of the National Grid, including on activities sensitive to the National Grid.

4.4.5.10 INF-P9 Upgrading and developing infrastructure in natural hazard overlays

Submissions

(304) The Telecommunication Companies (311.35), NZTA (385.27), Powerco (414.17), the Fuel Companies (471.102), Clarus (474.22), Transpower (504.31) and oOh Media (517.13) support the policy and seek that it is retained as notified.

(305) Wellington Water (422.5) seeks to amend clause 3 of the policy as follows:

Provide for new or upgraded infrastructure in natural hazard overlays where:

...

3. *Increases in natural hazard risk in identified high natural hazard overlays (other than in High Flood Hazard Overlays) are avoided.*

(306) KiwiRail (442.37), supported by Wellington Water (F36.54) and WRC (F38.60), seeks amendments to the policy as follows:

Provide for new or upgraded infrastructure in natural hazard overlays where:

...

2. ~~*Related buildings, structures or earthworks are of a scale and design that do not significantly increase n*~~*Natural hazard risk in High and Medium Flood Hazard Overlays and other high natural hazard Medium Flood Hazard Overlays are avoided where possible, or otherwise reduced to the extent practicable., and*

~~*3. Increases in natural hazard risk in identified high natural hazard overlays are avoided.*~~

Assessment

(307) I agree with the submissions of Wellington Water (422.5, F36.54) and KiwiRail (442.37) that clauses 2 and 3 of INF-P9 provide conflicting direction, particularly with regard to infrastructure in the High Flood Hazard Overlay. I also agree with KiwiRail (in their reasoning for submission point 442.37), that direction to avoid natural hazard risk should consider the

sensitivity of activities. I note that the National Policy Statement for Natural Hazards exempts infrastructure. However, adopting a risk-based approach will align with the approach in the PDP for non-infrastructure development in natural hazard areas, and will ensure that the direction for infrastructure is not more restrictive.

- (308) I disagree that allowing qualifying statements “to the extent practicable” is reasonable in the context of managing risk in high natural hazard areas for activities which are potentially sensitive or sensitive to natural hazard risk.
- (309) I also disagree with combining clauses 2 and 3. Clause 2 provides direction for provisions in the standards for buildings, structures and earthworks in Medium and High Flood Hazard Overlays. Instead, I recommend clause 2 be modified to provide more specific direction for the implementation of these provisions and to remove conflict with the direction in clause 3.

Recommendations

- (310) Accept in part the submission points of the Telecommunication Companies (311.35), NZTA (385.27), Powerco (414.17), the Fuel Companies (471.102), Clarus (474.22), Transpower (504.31) and oOh Media (517.13), in that the policy be retained with amendments in response to other submission points.
- (311) Accept in part the submission point of Wellington Water (422.5).
- (312) Accept in part the submission point of KiwiRail (442.37).
- (313) Amend policy INF-P9 as follows:
- Provide for new or upgraded infrastructure in natural hazard overlays where:*
1. *There is a functional need or operational need for the infrastructure to be in that location,*
 2. *Related buildings, structures or earthworks ~~are of a scale and design that do not significantly increase natural hazard risk in the~~ High Flood Hazard Overlays and Medium Flood Hazard Overlays do not impede the conveyancing of floodwaters or cause floodwaters to be diverted to adjacent properties, and*

3. *Increases in natural hazard risk to people and property, other than activities least sensitive natural hazards, in identified high natural hazard overlays are avoided.*

4.4.5.11 INF-P14 Upgrading and developing infrastructure in the Active Street Frontage Overlay

Submissions

- (314) The Telecommunication Companies (311.40), NZTA (385.27) and oOh Media (517.15) support the policy and seek that it is retained as notified.

- (315) Wellington Water (422.8) seeks to amend the policy as follows:

Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where:

~~*1.—There is a functional need or operational need for the infrastructure to be in that location;*~~

...

- (316) Powerco (414.22) seeks to amend the policy as follows:

Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where:

...

~~*4.—It is consistent with the urban design outcomes for the zone or precinct in which it is located.*~~

Assessment

- (317) I disagree with the relief sought by Wellington Water (422.8) and their reasoning provided. The policy provides for infrastructure to locate in the overlay where they have a functional or operational need to do so. The Active Street Frontage Overlay intends to protect the frontages of a small number of streets which are identified as attractive, pedestrian-focussed environments. If infrastructure is able to locate in alternative locations it is appropriate they do so.
- (318) I disagree in part with the relief requested by Powerco (414.22). The inclusion of clause 4 supports the outcomes sought for the Active Street Frontage Overlay. However, I do agree that a blanket reference to the

urban design outcomes is unnecessarily broad, and more specificity may assist with interpretation and implementation of this provision. I have already recommended the inclusion of an advice note which clarifies the relationship of this clause to other PDP chapters (see section 4.4.3 of this report).

Recommendations

- (319) Accept in part the submission points of the Telecommunication Companies (311.40), NZTA (385.27) and oOh Media (517.15), in that the policy be retained with amendments in response to other submission points.
- (320) Reject the submission point of Wellington Water (422.8).
- (321) Accept in part the submission point of Powerco (414.22).
- (322) Amend policy INF-P14 as follows:

Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where:

...

- 4. *It is consistent with the urban design outcomes for pedestrian environments and the Active Street Frontage Overlay for the zone or precinct in which it is located.*

Note:

This policy is to be read in conjunction with objectives and policies in the relevant zone chapters which describe the outcomes sought for pedestrian environments and the Active Street Frontage Overlay.

4.4.5.12 New policy – Promote the use of green infrastructure

Submissions

- (323) WRC (452.38), opposed by Wellington Water (F36.67), seek the inclusion of a new policy as follows:

INF-PX: Promote the use of green infrastructure

Promote and support the integration of green infrastructure as part of subdivision, use and development to provide services for people and communities while improving ecosystem health, resilience and indigenous biodiversity.

Assessment

- (324) For reasons previously stated, I do not recommend the INF chapter be modified to broadly provide for “green infrastructure” (452.38). The INF chapter only includes provisions for the stormwater network components of “green infrastructure”. I have recommended changes to INF-P1 to provide direction which recognises the benefits of infrastructure which is green infrastructure. However, I do not consider a specific policy for “green infrastructure” is appropriate for the INF chapter, given the broadness of this term.

Recommendation

- (325) Reject the submission point of WRC (452.38).

4.4.5.13 Section 32AA evaluation

- (326) I have recommended amendments to policies INF-P1, INF-P4, INF-P6, INF-P7, INF-P8, INF-P9 and INF-P14 to:
- Expand the benefits of infrastructure recognised in INF-P1, including resilience and the benefits where nature based solutions are incorporated into stormwater networks
 - Recognise the opportunities of new renewable and low emissions technologies (INF-P4)
 - Clarify policy direction for co-locating and the allocation of space within infrastructure corridors (INF-P6, INF-P7)
 - Provide clearer and more specific directions for managing adverse effects (INF-P6, INF-P8, INF-P9, INF-P14).
- (327) I consider the amended provisions, will provide clearer direction which will assist plan useability and implementation, while achieving the objectives of the plan. Amendments to INF-P1 and INF-P8 in particular, will improve alignment with regional and national policy direction.

4.4.6 Rules

4.4.6.1 Introduction

Submissions

- (328) Powerco (414.23) supports the rules introduction and seeks that it is retained as notified.
- (329) The Telecommunication Companies (311.41) seek the correction of a typographical error in the rules introduction:
- ...in area-specific and other district-wide chapters.*
- (330) Transpower (504.36) seeks to amend the rules introduction as follows:
- Operating, maintaining, repairing, upgrading, developing and decommissioning of infrastructure is excluded from all provisions (including rules) in area-specific and other district-wide chapter, except for.*

Assessment

- (331) I agree with the correction suggested by the Telecommunication Companies (311.41).
- (332) With regard to the relief requested by Transpower (504.36), I consider this explanation should be amended to refer to only “rules”, rather than “all provisions (including rules)”. This is because this is the introduction preceding the rules of the chapter, and that the introductory text at the beginning of the chapter (as I have recommended it be modified) explains that some objectives and policies are relevant to infrastructure activities in specific circumstances.
- (333) In addition to the submissions, I consider an amendment to the opening statement of the introduction is appropriate to align with terminology used elsewhere in the introduction and in the rule descriptions.

Recommendation

- (334) Accept in part the submission point of Powerco (414.23),
- (335) Accept the submission point of the Telecommunication Companies (311.41),
- (336) Accept in part the submission point of Transpower (504.36), and
- (337) Amend the rules introduction as follows:
- The rules of this chapter address the operation, maintenance, repair, ~~removal,~~ upgrading, ~~and~~ development and decommissioning of infrastructure ~~undertaken by network utility operators.~~*

...

Operating, maintaining, repairing, upgrading, developing and decommissioning of infrastructure is excluded from all ~~provisions~~ rules in area-specific and other district-wide chapter, except for: ...

4.4.6.2 General

Submissions

- (338) Heritage NZ (248.23) seeks that the rules are retained as notified.
- (339) Powerco (414.24) seeks amendments to the rule table so that each zone is clearly identified in the rule.
- (340) The Policy Planning Team of Hutt City Council (440.21) seeks to replace “high hazard areas” with “high natural hazard overlays” in the rule table.

Assessment

- (341) The rules tables which were included in the notified INF chapter included a number of rows which identified the activity status for activities in various overlays or other locations. This included for matters such as historic heritage, sites and areas of significance to Māori, coastal natural character, and outstanding natural features and landscapes. As these topics are now outside the scope of the PDP (given the Government’s plan stop requirements and scope of the Council’s exemption to these requirements), it is necessary to modify the table to remove the parts relating to these topics. In doing so, I recommend that the rule table is simplified and converted into a list of rules, to be more in keeping with the rules tables in other chapters.
- (342) The modified rule tables are shown in Appendix 2 of this report. The changes to the rules shown in that appendix are solely a reformatting of the rules table from the notified PDP with changes to the rules in response to submissions on the rules (shown through tracked changes and comments in the appendix).
- (343) I consider the relief requested by Powerco (414.24) to be addressed by the modified rules tables as described above.
- (344) The relief requested by the Policy Planning Team of Hutt City Council (440.21) will ensure consistent usage of terminology in the Plan.

Recommendations

- (345) Accept in part the submission point of Heritage NZ (248.23), with the rules to be retained with amendments in response to other submission points.
- (346) Accept the submission point of Powerco (414.24), and modify the format of the rule tables, and
- (347) Accept the submission point of the Policy Planning Team of Hutt City Council (440.21), and make the following amendment throughout the rules tables:

high natural hazard ~~areas~~ overlays

4.4.6.3 INF-R1 Operation of infrastructure involving radiofrequency fields

Submission

- (348) The Telecommunication Companies (311.42) seeks to modify the rule description of rule INF-R1 as follows:

INF-R1 Operation of infrastructure involving radiofrequency fields and electric magnetic fields.

Assessment

- (349) I agree with the relief requested by the Telecommunication Companies (311.42). The rule was intended to include this, and it was an error that this was omitted.

Recommendation

- (350) Accept the submission point of the Telecommunication Companies (311.42), and
- (351) Amend the description of INF-R1 as follows:

INF-R1 Operation of infrastructure involving radiofrequency fields and electric and magnetic fields

4.4.6.4 INF-R2 Operation, maintenance, repair, and decommissioning of infrastructure / INF-R3 Upgrading of

**infrastructure, excluding transport network infrastructure
and gas and transmission pipelines over 110kV**

Submissions

(352) The Telecommunication Companies (311.43), NZTA (385.29), Powerco (414.25), KiwiRail (442.39), the Fuel Companies (471.105) and Clarus (474.23) seek that INF-R2 is retained as notified.

(353) Wellington Electricity (415.6, 415.9d), supported by Wellington Water (F36.69), seeks to reinstate the minor upgrading rule framework used in the Operative District Plan, and more specifically seek that the following clause is included with INF-R2:

This rule includes routine minor upgrading activities such as reconductoring of existing lines, replacement or strengthening of poles and cross-arms, and the installation of pole-mounted equipment (such as switches, fuses, or communications devices), where the effects are no greater than those of the existing infrastructure and the works comply with relevant safety and engineering standards.

(354) Wellington Water (422.9) seeks amendments to INF-R2 and INF-R3 to provide for upgrades that have the same effects as permitted repair or maintenance activities.

(355) Powerco (414.26), the Policy Planning Team of Hutt City Council (440.20), the Fuel Companies (471.106a) and Clarus (474.24a) seek amendments to the description of INF-R3 to clarify the exclusion of gas transmission pipelines and electricity transmission lines.

(356) The Telecommunication Companies (311.44), supported by Wellington Water (F36.70, F36.72), and the Fuel Companies (471.106b) seek the following amendment to the activity status under INF-R3:

All zones

2. Activity status: ~~Restricted discretionary~~ *Non-complying*

Where:

a. *Compliance is not achieved with INF-R3.1*

- (357) Wellington Water (422.11) seeks that a discretionary activity status is applied for three waters assets that do not comply with the standards in INF-R3.1.
- (358) Clarus (474.24b) seeks a correction to the name of INF-S2 (Upgrading of infrastructure) cross-referenced in INF-R3.

Assessment

- (359) I agree with Powerco (414.26), the Policy Planning Team of Hutt City Council (440.20), the Fuel Companies (471.106a) and Clarus (474.24a), that the rule description of INF-R3 requires amendment to clarify the exclusion of electricity and gas transmission activities.
- (360) I do not think the inclusion of “minor upgrading” in a rule description, or referred to in a clause as suggested by Wellington Electricity (415.6), would support plan clarity or useability, as it would rely on some assessment on the scale of the effects and their comparison to the existing activity to determine the activity status. Such an approach would not provide a clear framework for making this assessment and conclusions as to what constitutes “minor upgrading” would likely vary between plan users.
- (361) The approach of the PDP is to provide for minor upgrading in INF-R3, albeit not explicitly, by enabling upgrading which complies with specified standards as permitted activities. I consider this approach provides a clearer effects basis for identifying and providing for upgrading of a minor scale. This is consistent with the approach taken in the Wellington City and Porirua district plans.
- (362) In response to Wellington Water (422.9), I agree that it is desirable that upgrades that have the same effects as maintenance and repair are similarly enabled as permitted. For some upgrading activities, particularly in relation to trenching of underground services, this outcome is not achieved within the rules as proposed. I consider that this is because:
- INF-R3 requires compliance with INF-S3 (a specific standard on Underground Infrastructure), whereas INF-R2 does not, and
 - INF-S3 includes some requirements that some maintenance and repair activities would not comply with (if the standard was included in INF-R2).

- (363) The standard INF-S3 includes requirements to manage earthworks in proximity to buildings and structures. This addresses potential adverse effects on damage to property and the health and safety of people. Therefore I do not consider it is appropriate to remove this requirement from INF-R3, and I consider INF-R2 should be modified to reference this standard.
- (364) The inclusion of non-complying activity statuses for INF-R3 appears to have been an error. I agree with the Telecommunication Companies (311.44) and the Fuel Companies (471.106b) that restricted discretionary is an appropriate activity status under this rule where activities do not comply with the identified standards. I consider this change also addresses the relief sought by Wellington Water in relation to the activity status of NF-R3 (422.11).

Recommendations

- (365) Accept in part the submission points of the Telecommunication Companies (311.43), NZTA (385.29), Powerco (414.25), KiwiRail (442.39), the Fuel Companies (471.105) and Clarus (474.23), and retain rule INF-R2 as notified with amendments in response to other submissions,
- (366) Reject the submission points of Wellington Electricity (415.6, 415.9d), with respect to reinstituting the minor upgrading rule framework of the ODP,
- (367) Accept in part the submission point of Wellington Water (422.9), to provide for upgrades that have the same effects as permitted repair or maintenance activities,
- (368) Accept the submission points of Powerco (414.26), the Policy Planning Team of Hutt City Council (440.20), the Fuel Companies (471.106a) and Clarus (474.24a), to clarify the description of rule INF-R3,
- (369) Accept the submission points of the Telecommunication Companies (311.44) and the Fuel Companies (471.106b), and accept in part the submission point of Wellington Water (422.11), to modify the activity status for activities which do not comply with INF-R3.1 to restricted discretionary,
- (370) Accept the submission point of Clarus (474.24b), to correct an error in the name of a standard cross-referenced in INF-R3, and
- (371) Amend rule INF-R2 as follows:

INF-R2 Operation, maintenance, repair, and decommissioning of infrastructure

1. Activity status: Permitted

Where:

a. Compliance is achieved with:

i. INF-S3: Underground infrastructure

ii. INF-S16: Earthworks – Slope, height, depth and location;

iii. INF-S17: Earthworks – Area limit, including trenching; and

iv. INF-S18: Earthworks – reinstatement.

(372) Amend rule INF-R3 as follows:

INF-R3 Upgrading of infrastructure, excluding transport network infrastructure, electricity transmission infrastructure over 110kV and gas ~~and~~ transmission pipelines ~~over 110kV~~

1. Activity status: Permitted

Where:

a. Compliance is achieved with:

i. INF-S2: Upgrading of ~~aboveground~~ infrastructure

...

2. Activity status: Restricted discretionary ~~Non-complying~~

Where:

a. Compliance is not achieved with INF-R3.1.

4.4.6.5 INF-R6 Signs.../ INF-R21 Signs for the purpose of operating the transport network, located in road reserve or rail corridor

(373) As a consequence of the plan stop exemption, I recommend a reformatted and rationalised rule structure that converts the rule table of the PDP as notified to a more standard list of rules (see section 2.5 of this report for more details). As part of this, I recommend combining rules INF-R6 and INF-R21 into a single rule. There is no change to the rule contents or trigger

points as part of this change – it solely relates to how the rule/s are communicated to plan users.

Submissions

- (374) NZTA (385.30) seeks changes to the permitted activity status in rule INF-R6 (which, in brief, relates to signs associated with infrastructure excluded those associated with the transport network in road reserve or the rail corridor), if relief sought in relation to SIGN-S8 (385.35, 385.91), which relate to signs more generally, is not accepted.
- (375) oOh Media (517.16), opposed by NZTA (F20.6), seeks amendments to rule INF-R6 to include third-party advertising signs within the rule description.
- (376) NZTA (385.31) and oOh Media (517.17a) seek that the rule INF-R21, which relates to signs for the purpose of operating the transport network that are located in road reserve or rail corridor, is retained as notified.

Assessment

- (377) With respect to the conditional relief requested by NZTA (385.30), this is subject to relief requested to standard SIGN-S8 not being accepted. Their submission on this standard is being considered separately in the section 42A report for Signs as part of Hearing Stream #7. I understand the provisional assessment on this submission point is to accept the requested change to SIGN-S8. This would in turn, address the relief requested in submission point 385.30 in relation to INF-R6.
- (378) As outlined in section 4.3.1.5 of this report, I do not consider third-party advertising signs to be infrastructure or infrastructure-supporting activities. I do not consider there is a need to provide for these activities in the INF chapter.

Recommendation

- (379) Accept in part the submission point of NZTA (385.30), noting this may need to be revisited through Hearing Stream #7,
- (380) Accept in part the submission points NZTA (385.31) and oOh Media (517.17a), and retain INF-R21 but merged with INF-R6,
- (381) Reject the submission point of oOh Media (517.16), and do not amend INF-R6 to provide for third-party advertising, and

- (382) Retain the content and structure of rules INF-R6 and R21 as notified, but combined into a single rule.

4.4.6.6 INF-R7 New cabinets (not regulated by the NESTF)

Submission

- (383) Powerco (414.29) seeks that the activity status for rule INF-R7 (relating to new cabinets not regulated by the NESTF) within the Active Street Frontage Overlay is changed to permitted where compliant with applicable standards. This should be read in conjunction with their submission (414.37a) to alter standard INF-S4 to include specific requirements for cabinets in the Active Street Frontage Overlay, which is assessed later in this report.

Assessment

- (384) The Active Street Frontage Overlay protects the frontages of a small number of streets which are identified as attractive, pedestrian-focussed environments. New cabinets, if poorly designed or located, may have adverse effects on these environments. The restricted discretionary matters and policy INF-P14 provide sufficient guidance to decision makers to managing effects while providing for infrastructure in these environments.

Recommendation

- (385) Reject the submission point of Powerco (414.29), and
(386) Retain rule INF-R7 as notified.

4.4.6.7 INF-R9 New underground pipelines, including electricity and gas distribution and three waters, excluding electricity and gas transmission

Submissions

- (387) Powerco (414.31), the Telecommunication Companies (471.107) and Clarus (474.25) seek that rule INF-R9 is retained as notified. These submission points are supported by Wellington Water (F36.78, F36.79, F36.80).

- (388) The Director-General for Conservation (405.21), opposed by Wellington Water (F36.77), seeks that the description of rule INF-R9 is amended “for clarity”.

Assessment

- (389) The Director-General for Conservation (405.21) considers the rule descriptor is “difficult to decipher”. However, I consider weight should be given to number of submitters supporting the rule be retained as notified, noting that these submitters are most likely to have activities regulated by the rule. In particular, the further submission of Wellington Water (F36.77), seeks that the reference to three waters is retained in the rule description.

Recommendations

- (390) Accept the submission points of Powerco (414.31), the Telecommunication Companies (471.107) and Clarus (474.25),
- (391) Reject the submission point of the Director-General for Conservation (405.21), and
- (392) Retain rule INF-R9 as notified.

4.4.6.8 INF-R10 New underground structures other than pipelines

Submissions

- (393) Powerco (414.32), KiwiRail (442.41) and the Fuel Companies (471.108) seek that rule INF-R10 (on new underground structures other than pipelines) is retained as notified.
- (394) Transpower (504.38) seeks amendments to clarify how the rule applies to new underground structures, given that the rule is grouped under the heading “General – operation, maintenance, repair and decommissioning of infrastructure.” This submission point is supported by Wellington Water (F36.81).

Assessment

- (395) I agree with Transpower (504.38) that the inclusion of rules for new infrastructure under the group heading “General – operation, maintenance, repair and decommissioning of infrastructure”, is confusing. This issue is not particular to INF-R10 as other rules under this heading also relate to

new or upgraded infrastructure. I recommend that the group heading be amended to the heading that is identified under the rules introduction.

Recommendation

- (396) Accept the submission points of Powerco (414.32), KiwiRail (442.41) and the Fuel Companies (471.108),
- (397) Accept the submission point of Transpower (504.38),
- (398) Retain rule INF-R10 as notified, and
- (399) Amend the group heading for rules INF-R1 to INF-R10 as follows:

General ~~activities—operation, maintenance, repair and decommissioning~~

4.4.6.9 INF-R11 New antennas or aboveground mounted equipment attached...

Submissions

- (400) The Telecommunication Companies (311.51a) seeks to modify the rule INF-R11 description as follows:

New antennas ~~or aboveground mounted equipment attached to existing support structure or buildings (not regulated by the NESTF)~~

Assessment

- (401) The District Plan regulates antennas on new poles that are in the road reserve and further than 100m from an existing pole, and on new poles which are outside the road reserve and not in a rural zone. Other antennas are regulated by the NESTF.
- (402) INF-R11 requires compliance with INF-S9, which outlines requirements for antennas and headframes. The PDP through INF-R11 and INF-S9 enable headframes (up to 2.5m wide in residential zones) as a permitted activity. In contrast, antennas regulated by the NESTF require consent. In this respect, I consider the INF-S9 as proposed to be far more enabling of mounting antennas on new poles than comparable NESTF provisions. It follows that the more antennas are able to be mounted on a pole, the more ancillary equipment is also required to be mounted to support their operation. Therefore, I consider that the requirements managing

aboveground mounted equipment supports the more enabling approach (compared to the NESTF) the PDP takes with respect to headframes.

Recommendation

- (403) Reject the submission point of the Telecommunication Companies (311.51a), and
- (404) Retain the rule INF-R11 as notified.

4.4.6.10 INF-R12 New support structures including telecommunication poles, with or without associated lines (not over 110kV), antenna or aboveground mounted equipment (not regulated by the NESTF)

Submission

- (405) The Telecommunication Companies (311.52) seeks to amend the activity status for activities regulated by rule INF-R12 (which relates to new support structures, including specific telecommunications poles) where located in the Active Street Frontage Overlay, from restricted discretionary to permitted where compliance with standards is achieved.

Assessment

- (406) The Active Street Frontage Overlay protects the frontages of a small number of streets which are identified as attractive, pedestrian-focussed environments. New support structures, if poorly designed or located, may have adverse effects on these environments. The restricted discretionary matters and policy INF-P14 provide sufficient guidance to decision makers to managing effects while providing for infrastructure in these environments.

Recommendation

- (407) Reject the submission point of the Telecommunication Companies (311.52), and.
- (408) Retain rule INF-R12 as notified

4.4.6.11 INF-R13 New customer connection lines and support structures (not regulated by the NESTF)

Submission

- (409) The Telecommunication Companies (311.53) seeks a controlled activity status for activities under rule INF-R13 (which relates to new customer connection lines and support structures) which do not comply with standards. The submitter also seeks the inclusion of a matter of control; that effects on the applicable overlay are mitigated to the extent practicable.

Assessment

- (410) Under INF-R13, customer connection lines have a restricted discretionary activity status if they do not comply with general standards for earthworks (INF-S16 to INF-S18). Most of the rules in the INF chapter are subject to the same suite of standards, with non-compliance triggering a restricted discretionary status or higher. The effects threshold in relation to these standards are the same for INF-R13 as for other rules. I consider that where these standards are not complied with, assessment with a restricted discretionary status is appropriate. I do not see a reason to apply a lower activity status in the case of INF-R13. I note that compared to other INF chapter rules, the benefits of activities under INF-R13 are relatively confined (to individual customers) rather than the wider public.

Recommendation

- (411) Reject the submission point of the Telecommunication Companies (311.53), and
- (412) Retain rule INF-R13 as notified.

4.4.6.12 INF-R14 Cabinets, antennas and poles regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF

Submission

- (413) The Telecommunication Companies (311.54) seek the inclusion of a controlled activity status for panel antenna and dish antenna not

exceeding 0.8m and 1.3m respectively, and which are outside the Active Street Frontage Overlay and High Natural Hazard Overlay, with non-compliance triggering a restricted discretionary activity status. The submitters seek that “the need for the infrastructure” is included as a matter of control.

Assessment

- (414) I do not consider the submitter has provided a clear rationale for adding an additional compliance threshold and activity status for regulated activities which do not comply with the relevant NESTF standards. The controlled activity status would apply to panel antennas between 0.7 and 0.8m width, which is a very marginal difference with unclear benefits.
- (415) I understand that the NESTF may not be effective in enabling antennas which are needed for the 5G telecommunications network. But it is not clear if the requested relief is intended to respond to this or is effective in doing so.
- (416) As a general comment on the use of controlled activity status, I consider this is better used to affirm conformance to standards, rather than assessing effects where activities do not comply with standards.
- (417) With regard to the request that the PDP specify a matter of control, the NESTF identifies (in Regulation 14(2)) the matters of control for regulated activities which are controlled activities. I do not consider the NESTF provides for district plans to identify alternative or additional matters of control.

Recommendation

- (418) Reject the submission point of the Telecommunication Companies (311.54), and
- (419) Retain rule INF-R14 as notified.

4.4.6.13 INF-R15 Upgrading of gas transmission lines

Submissions

- (420) Clarus (4747.27a) seeks to modify the description of INF-R15 (relating to upgrading of gas transmission lines) as follows:

INF-R15 Upgrading of gas transmission pipelines, including ancillary equipment, structures and buildings

- (421) Clarus (474.26, 474.27b, 474.27c) also seeks to modify the rule to amend the activity status in High Natural Hazard areas and the Active Street Frontage Overlay from restricted discretionary to permitted where compliance is achieved with the identified standards. They also seek to include standard INF-S14: Buildings in the list of applicable standards, and to include the following in either the “upgrading” definition or as a new INF standard:

Within the gas transmission pipeline corridor.

- *Addition of ancillary equipment and structures which support the operation of the existing pipeline (e.g. pumps and filters), or their replacement with similar equipment, which has a plan area of no more than 20m²*
- *Minor alterations and additions to above ground structures and buildings associated with an existing gas transmission pipeline, which have a plan area no more than 20m².*

Assessment

- (422) I agree in part with the requested relief, in that new aboveground structures which are associated with an existing transmission line can be considered upgrading. I also agree that is appropriate to provide for minor upgrading (that is upgrading which complies with the listed standards) in the Active Street Frontage and High Hazard Overlays.
- (423) I do not support changes to the definition or to include the advice note in a rule as suggested by the submitter. I consider it is sufficient to modify the rule description and include standard INF-S14, which will make it clear that above ground structures can be considered upgrading.

Recommendation

- (424) Accept submission points 474.26, 474.27a and 474.27b of Clarus,
- (425) Reject submission point 474.27c, and
- (426) Amend rule INF-R15 as follows:

INF-R15 Upgrading of gas transmission pipelines, including ancillary equipment, structures and buildings

1. Activity status: Permitted

Where:

- a. ~~Not located in the Active Street Frontage Overlay;~~
- b. ~~Not located in the High Natural Hazard Overlay; and...~~
- e. Compliance is achieved with:
 - i. INF-S14: Buildings and structures, other than cabinets or support structures
 - ii. INF-S16: Earthworks – Slope, height, depth and location
 - iii. INF-S17: Earthworks – Area limit, including trenching; and
 - iviii. INF-S18: Earthworks – reinstatement.

4.4.6.14 INF-R16 New gas transmission pipelines

Submission

- (427) Clarus (474.28) seeks to amend the activity statuses under rule INF-R16 (relating to new gas transmission pipelines) to restricted discretionary (from discretionary) where located outside of high natural hazard overlays and the Active Street Frontage Overlay, and to discretionary (from non-complying) where located in high natural hazard overlays. They have requested the following be included as matters of discretion.

Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:

- Visual effects
- Effects of earthworks including sediment runoff, dust and visual effects
- Effects on health and safety
- Natural hazard effects– coastal hazards, flood hazards, land stability and earthquake
- Ecological effects
- Effects on vehicular access and public access

Assessment

- (428) I disagree with the request from Clarus to revise the activity status for new gas transmission pipelines in high natural hazard overlays from non-complying to discretionary, and their reasoning that there is a potential conflict with the objectives and policies. The presence of gas transmission pipelines can contribute to the consequences of a land rupture or other natural hazard event, whereby I consider the non-complying activity status is consistent with the policy direction to avoid increases in natural hazard risk in high natural hazard overlays (INF-P9.3). The activity status and policy direction does not preclude new gas transmission in these locations, provided it meets the policy direction including INF-P9.
- (429) I do not agree with modifying the activity status for new pipelines located outside of high natural hazard overlays or the Active Street Frontage Overlay. I have concern that restricted discretionary matters may not anticipate all the matters that are relevant to consider for a new transmission pipeline. The establishment of new pipelines will likely result in the extension of the Gas Transmission Pipeline Corridor and associated protections which may preclude or at least constrain some future activities in proximity to new pipelines. I consider that a discretionary activity status is appropriate to ensure all relevant matters are considered when a new pipeline is established.

Recommendation

- (430) Reject the submission point of Clarus (474.28).

4.4.6.15 INF-R17 Upgrading of transmission lines above 110kV, including associated support structures (not regulated by the NESETA)

Submission

- (431) Transpower (504.39) seek that the rule INF-R17 (relating to upgrading of transmission lines above 100kV) be deleted as there are no existing National Grid assets that are either not regulated by the NESETA or that are not subject to a designation. The submitter also records that they oppose the non-complying activity status.

Assessment

- (432) The rule applies to new transmission lines which are subsequently upgraded. I accept there may be a small probability in the life of the PDP of an activity being assessed under this rule, but I consider it is better to have the rule in place.
- (433) Non-complying activity status applies to activities under this rule which are located in the Active Street Frontage Overlay, and which do not comply with the applicable standards.
- (434) I agree with Transpower that a non-complying activity status is not appropriate in this instance. Policy INF-P14 provides policy direction for the Active Street Frontage Overlay, however it does not apply to the National Grid. Policy direction for the National Grid, including in relation to urban amenity is addressed in policy INF-P8. As the policy direction for the Active Street Frontage Overlay does not apply to the National Grid, I consider there should not be specific provisions which apply to National Grid infrastructure within this overlay.

Recommendation

- (435) Accept in part the submission point of Transpower (504.39), and
- (436) Amend rule INF-R17 as follows:
- INF-R17 Upgrading of transmission lines above 110kV, including associated support structures (not regulated by the NESETA)*
1. *Activity status: Permitted*
- Where:*
- ~~a. — Not located in the Active Street Frontage Overlay;~~
- ab. *Not located in the High Natural Hazard Overlay; and*
- be. *Compliance is achieved with:...*
- ~~2. Activity status: Restricted discretionary~~
- ~~*Where:*~~
- ~~a. — Located in the Active Street Frontage Overlay; and~~
- ~~b. — Compliance is achieved with:...~~

...

~~6. Activity status Non-complying~~

~~Where:~~

~~a. Located in the Active Street Frontage Overlay; and~~

~~b. Compliance is not achieved with INF-R17.2(b).~~

4.4.6.16 INF-R18 New transmission lines including associated support structures, that convey electricity over 110kV or above

Submission

- (437) Transpower (504.40) seek that the activity statuses in rule INF-R18 (relating to new transmission lines) are amended to “make the default activity status discretionary at worst”.

Assessment

- (438) Under INF-R18, new transmission lines are non-complying activities if located in the Active Street Frontage Overlay or City Centre Zone, or otherwise are discretionary activities.
- (439) The non-complying activity status for National Grid infrastructure in the City Centre Zone is intended to align with direction from the NPS-ET, which is incorporated in policy INF-P8, to avoid adverse effects on town centres.
- (440) In my assessment of submission on policy INF-P8, I have accepted arguments from Transpower with respect to the use of qualifying terms in the NPS-ET and their intent, and have recommended changes to the policy.
- (441) Accepting the relief requested by Transpower to INF-R18, will align the rule with INF-P8 as I have recommended it to be altered.
- (442) I do not consider it appropriate to include specific provisions for National Grid in the Active Street Frontage Overlay, as the policy direction for this overlay does not apply to the National Grid.

Recommendation

- (443) Accept the submission point of Transpower (504.40), and
- (444) Amend rule INF-R18 as follows;

INF-R18 New transmission lines including associated support structures, that convey electricity over 110kV or above

All zones, excluding City Centre Zone

1. *Activity status: Discretionary*

~~*Where:*~~

~~*a. — Not located in the Active Street Frontage Overlay*~~

- ~~2. *Activity status: Non-complying*~~

~~*Where:*~~

~~*a. — Located in the Active Street Frontage Overlay*~~

~~*City Centre Zone*~~

- ~~3. *Activity status: Non-complying*~~

4.4.6.17 INF-R19 New substations, transformers, switching stations and ancillary buildings for the National Grid

Submission and assessment

- (445) Transpower (504.41) seek that the activity statuses under rule INF-R19 (relating to new substations, transformers, switching stations and ancillary buildings for the National Grid) are amended “to make the default activity status discretionary at worst”. In the notified PDP. Discretionary and non-complying activity statuses were only applied through this rule to overlays which have now been removed from the plan.
- (446) Rule INF-R19 includes specific provision for National Grid infrastructure which is located within the Active Street Frontage Overlay. As I have discussed in my assessment for rules INF-R17 and INF-R18, I do not consider that this is appropriate, as policy direction for this overlay does not apply to the National Grid.

Recommendation

- (447) Accept in part the submission point of Transpower (504.41), and
- (448) Amend the rule INF-R19 as follows:

INF-R19 New substations, transformers, switching stations and ancillary buildings for the National Grid

1. Activity status: Permitted

Where:

~~a. Not located in the Active Street Frontage Overlay;~~

~~a.b. Not located in the High Natural Hazard Overlay; and~~

~~b.e. Compliance is achieved with:...~~

...

~~4. Activity status: Restricted discretionary~~

~~Where:~~

~~a. Located in the Active Street Frontage Overlay; and~~

~~Matters of discretion are restricted to:~~

~~1. The matters in INF-P1 to INF-P6.~~

~~2. The functional needs, operational needs, and technical requirements of the infrastructure.~~

~~3. Any positive effects that can only be achieved through non-compliance with a rule or standard.~~

~~4. For National Grid infrastructure, the matters in INF-P8.~~

~~5. Effects on pedestrian amenity, comfort, and safety, and visual amenity.~~

4.4.6.18 INF-R24 New transport network infrastructure, including cycleways and shared paths

Submission

(449) NZTA (385.34) and KiwiRail (442.44) seeks that the activities under rule INF-R24 (relating to new transport network infrastructure) that comply with the relevant standards have a permitted activity status. WRC (F38.11) opposes 385.34 and Heritage New Zealand (F8.3) oppose 442.44.

(450) oOh Media (517.21) seeks that the rule is retained as notified.

Assessment

- (451) The reasoning provided by NZTA for their requested relief (385.34), is that a restricted discretionary activity under INF-R24 requires compliance with the same suite of standards as a permitted activity under INF-R23 for upgraded transport network infrastructure, and therefore would have similar effects.
- (452) I don't agree that there would be a direct equivalence of effects in all cases between upgraded infrastructure under INF-R23 and new infrastructure under INF-R24, even where compliance with the same standards is achieved. There is difference in the potential scale of activity and effects between activities encapsulated within the respective rule descriptions of INF-R23 and INF-R24.
- (453) Activities regulated under INF-R23 occur within already modified environments. Upgrading is not an entirely new activity with new adverse effects, but modifies an existing activity. Therefore the adverse effects will be relatively marginal with respect to the existing activity (compared to if it were an entirely new activity).
- (454) New transport network infrastructure under INF-R24 involves an entirely new activity and new effects. It may or may not be located in already modified environments such as road reserve or rail corridor. If it is located in existing road reserve or rail corridor, then the effects of the new activity might be more in keeping with the existing environment, than if the activity was located in a new location. On this basis, I consider that a permitted pathway could be provided for new transport infrastructure where it is located within an existing road reserve or rail corridor.

Recommendation

- (455) Accept in part the submission point of oOh Media (517.21), and retain rule INF-R24 with amendments as recommended below,
- (456) Accept in part the submission points of NZTA (385.34) and KiwiRail (442.44), and
- (457) Amend rule INF-R24 as follows:

INF-R24 New transport network infrastructure, including cycleways and shared paths

1. Activity status: Permitted

Where:

- a. Located within existing road reserve or rail corridor; and
- b. Compliance is achieved with:
 - i. INF-S15: Road design;
 - ii. INF-S16: Earthworks — Slope, height, depth and location
 - iii. INF-S17: Earthworks — Area limit, including trenching; and
 - iv. INF-S18: Earthworks — reinstatement.

~~21.~~ Activity status: Restricted discretionary

Where:

- a. Not located within existing road reserve or rail corridor; and
- ~~b.~~ Compliance is achieved with INF-24.1(b):
 - i. INF-S15: Road design;
 - ii. INF-S16: Earthworks — Slope, height, depth and location
 - iii. INF-S17: Earthworks — Area limit, including trenching; and
 - iv. INF-S18: Earthworks — reinstatement.

32. Activity status: Discretionary

Where:

- a. Compliance is not achieved with INF-R24.1(b).

4.4.6.19 INF-R25 Infrastructure not otherwise provided for or subject to any other rule in chapter

Submission

- (458) Powerco (414.33), the Fuel Companies (471.109), Clarus (474.29) and oOh Media (517.22) seek that rule INF-R25 (relating to infrastructure not otherwise provided for or subject to any other rule in the chapter) is retained as notified.
- (459) Enviro NZ (323.32) seeks the following is added to the rule description “(excluding district or regional resource recovery or waste disposal facilities)”.

Assessment

- (460) As I have not recommended modifying the “infrastructure” definition to include district or regional resource recovery or waste disposal facilities, I do not recommend accepting the relief requested by Enviro NZ (323.32).

Recommendation

- (461) Accept the submission points of Powerco (414.33), the Fuel Companies (471.109), Clarus (474.29) and oOh Media (517.22),
- (462) Reject the submission point of Enviro NZ (323.32), and
- (463) Retain rule INF-R25 as notified.

4.4.6.20 New rule – third-party advertising signs

Submissions

- (464) oOh Media (517.17b) seek the inclusion of a new rule which provides for third-party advertising signs and digital signs which are integrated with ancillary transport network infrastructure.

Assessment

- (465) As outlined in section 4.3.1.5 of this report, I do not consider third-party advertising signs to be infrastructure or infrastructure-supporting activities. I do not consider there is a need to provide for these activities in the INF chapter.

Recommendation

- (466) Reject the submission point of oOh Media (517.17b).

4.4.6.21 Assessment matters for restricted discretionary activities

Submissions

- (467) Heritage NZ (248.24) and Powerco (414.34) seeks that the assessment matters for restricted discretionary activities are retained as notified.
- (468) The Telecommunication Companies (311.56) seek the inclusion of an additional assessment matter for “Any resilience benefits resulting from the proposed infrastructure”.

- (469) The Telecommunication Companies (311.57) also seek to make sure that matters of discretion within standards apply in addition to the assessment criteria specified in the rule framework.

Assessment

- (470) The restricted discretionary assessment matters include the matters in INF-P1 (Recognise benefits of infrastructure). In response to relief requested by Wellington Water (422.3), I have recommended that clause 2 of this policy be modified to include “Providing for the health, safety and resilience of people and communities” as a benefit of infrastructure. I consider this modification also addresses the relief requested by the Telecommunication Companies (311.56).
- (471) I consider that within the restricted matters of discretion which are identified for the rules, it is made clear that the matters of discretion for any applicable standard that is infringed also apply.

Recommendation

- (472) Accept the submission points of Heritage NZ (248.24) and Powerco (414.34),
- (473) Reject submission point 311.56 of the Telecommunication Companies, and accept in part submission point 311.57, and
- (474) Retain the restricted matters of discretion as notified.

4.4.6.22 Section 32AA evaluation

- (475) I have recommended amendments to rules INF-R1, INF-R2, INF-R3, INF-R15, INF-R17, INF-R18, INF-R19 and INF-R24, including to:
- Including an additional standard for maintenance and repair (INF-R2)
 - Apply a restricted discretionary activity status for upgrading which does not comply with standards (INF-R3)
 - Provide a permitted pathway for upgrading gas transmission infrastructure which complies with standards (INF-R15)
 - Remove provisions for National Grid infrastructure in the Active Street Frontage Overlay (INF-R17, INF-R18, INF-R19)
 - Provide a permitted pathway for new transport infrastructure located within existing road reserve or rail corridors (INF-R24)

- (476) I do not consider the addition of standard INF-S3 (Underground infrastructure) to INF-R2.1, is an onerous imposition on the operation, maintenance and repair of infrastructure and will manage effects from trenching on adjacent buildings and structures.
- (477) The change to activity statuses under rules INF-R3, INF-R15, INF-R17, INF-R18, INF-R19 and INF-R24, will ensure infrastructure activities will ensure infrastructure activities are appropriately enabled where the effects are suitably managed, and will better align with policy direction in this regard.
- (478) I consider the amendments achieve a reasonable balance between benefits and costs, and efficiently and effectively implement objectives and policies of the plan.

4.4.7 Standards

4.4.7.1 INF-S2 Upgrading of infrastructure

Submissions

- (479) Powerco (414.35), the Fuel Companies (471.110) and Clarus (474.30) seeks that standard INF-S2 (relating to upgrading of infrastructure) is retained as notified.
- (480) The Telecommunication Companies (311.59), and Wellington Electricity (415.9a, supported by Wellington Water – F36.89) seek to amend clause 1 of INF-S2 as follows:
1. *The replacement, realignment or relocation of a line, any pipe (excluding a gas transmission pipeline), support structure, conductor, cross arm, switch, transformer or ancillary structure must be within ~~5m~~ 10m of the existing alignment or location.*
- (481) The Telecommunication Companies (311.59) also seek to amend clause 2:
2. *A single mast pole, pi pole or similar support structure must not be replaced by a ~~steel~~-lattice structure.*
- (482) Wellington Electricity (415.9b, 415.9c) seeks that clauses 2 to 12 are retained as notified, and seeks that two new clauses are included in INF-S2 as follows:

13. Permitted upgrading includes reconductoring of existing lines, pole strengthening, and the installation of new pole-mounted equipment such as switches or transformers, provided the works are visually integrated with the support structure and do not materially increase visual dominance.

14. Upgrading works located within the road reserve are permitted where operational and safety requirements necessitate the changes, and where the effects are no greater than those of the existing infrastructure.

- (483) The Policy Planning Team of Hutt City Council (440.22) seeks corrections to the names of flood hazard overlays.

Assessment

- (484) I disagree with the relief requested by the Telecommunication Companies and Wellington Electricity to extend the allowance of relocated supported structures to within 10m of existing structures. I consider that 5m is an appropriate balance in providing some allowance for infrastructure providers to alter alignment to meet their needs while having comparable effects to the existing alignment.
- (485) I agree that clause (2) of INF-S2 need only refer to "lattice towers" and not "steel-lattice towers".
- (486) I disagree with the additional clauses requested by Wellington Electricity. The standard INF-S2 includes 12 clauses which each outline quantitative measures whereby measuring compliance with the standard is clear and unambiguous. The clauses suggested by Wellington Electricity require qualitative assessment including whether structures "do not materially increase visual dominance", "where operational and safety requirements necessitate the changes" and "where the effects are no greater than those of existing infrastructure". Assessing compliance with the standard through such vague clauses would be difficult and the outcome of these assessments are likely to vary between plan users and present challenges for the enforcement of rules that incorporate the standard. Such qualitative matters are better included as an assessment matter or policy guidance than as resource consent triggers, however I do not consider there is gap in

the policy direction or assessment matters which requires inclusion of such matters.

- (487) With regard to the specific upgrading activities referenced in the clauses suggested by Wellington Electricity, these activities are provided for (if not specifically identified) in the PDP to the extent they comply with the requirements of INF-S2 and other relevant standards. Where they do not comply with the standards as proposed, I consider the potential adverse effects are appropriate to manage through the resource consent process.
- (488) The relief requested by the Policy Planning Team of Hutt City Council (440.22) will ensure consistent usage of terminology in the Plan.

Recommendation

- (489) Accept in part the submission points of Powerco (414.35), the Fuel Companies (471.110) and Clarus (474.30),
- (490) Reject the submission points of the Telecommunication Companies (311.59) and Wellington Electricity (415.9a, 415.9b, 415.9c),
- (491) Accept the submission point of the Policy Planning Team of Hutt City Council (440.22), and
- (492) Amend the standard INF-S2 as follows:

INF-S2 Upgrading of infrastructure

...

9. *The realignment, relocation, or replacement of any infrastructure structure or building must not increase its footprint by more than the following:*

- a. *Where located within a ~~High Flood Hazard Area Stream Corridor~~ or ~~Medium Flood Hazard Area Overland Flow Path~~: 5%.*

4.4.7.2 INF-S4 Cabinets located within road reserve or the rail corridor

Submissions

- (493) The Telecommunication Companies (311.61) seek that standard INF-S4 (relating to cabinets located within road reserve or the rail corridor) is retained as notified.

- (494) Powerco (414.37a) seeks to modify INF-S4 to include specific requirements for cabinets in the Active Street Frontage:

Active Street Frontage Overlay:

1. The cabinet must not exceed a maximum height above ground level of 1.5m.

2. The cabinet must not exceed a maximum area of 1m².

- (495) Powerco (414.37b) also seek to modify the matters of discretion:

Matters of discretion if the standard is breached:

...

~~2. Adverse effects on the attractiveness of active transport environments.~~

...

4. Where practicable measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures.

Assessment

- (496) I consider Powerco's relief requested for INF-S4 should be read in conjunction with relief they have requested to INF-R7, which seeks to provide for cabinets in the Active Street Frontage Overlay as a permitted activity subject to compliance with standards.
- (497) In my assessment of the submission points on INF-R7, I have not recommended changes to the activity status for cabinets in the Active Street Frontage Overlay. The overlay is applied to a small number of streets which are identified as attractive, pedestrian-focussed environments. New cabinets, if poorly designed or located, may have adverse effects on these environments.
- (498) With respect to the request of Powerco to remove matter of discretion (2), I agree that "attractiveness" of active transport environments can be a vague term. I don't think this matter of discretion is adding much beyond matter of discretion (1) which covers safety of pedestrian safety, and matter of discretion (3) which covers visual effects.

- (499) I do not consider that “Where practicable” is a useful addition to matter of discretion (4). The matters of discretion are not providing direction on the standard to which effects should be managed, but are matters for decision makers to consider.

Recommendations

- (500) Accept in part the submission point 311.61 of the Telecommunication Companies, and retain standard INF-S4 with amendments as detailed below,
- (501) Reject submission point 414.37a of Powerco and accept in part submission point 414.37b, and
- (502) Amend the matters of discretion of standard INF-S4 as follows:

Matters of discretion if the standard is breached:

1. Adverse effects on traffic and pedestrian safety including sightlines and the visibility of traffic signage.

~~*2. Adverse effects on the attractiveness of active transport environments.*~~

~~*23.*~~ *Visual effects, including impacts on:...*

4.4.7.3 INF-S6 Height – Support structures not regulated by the NESTF

Submissions

- (503) KiwiRail (442.45a) and Clarus (474.34) seek that standard INF-S6 (relating to height of support structures not regulated by the NESTF) is retained as notified.
- (504) The Telecommunication Companies (311.63) seek the following modifications to the height thresholds specified in the standard:
- *Rural Lifestyle Zone:*
 - *The support structure must not exceed a maximum height above ground level of ~~1230~~m (single provider).*
 - *The support structure must not exceed a maximum height above ground level of ~~1535~~m (two or more providers).*

- *Large Lot Residential Zone, Natural Open Space Zone, Open Space Zone, Sport and Active Recreation Zone, Marae Zone:*
 - *The support structure must not exceed a maximum height above ground level of ~~121~~15m (single provider).*
 - *The support structure must not exceed a maximum height above ground level of ~~152~~20m (two or more providers).*
- *High Density Residential Zone, Local Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone, Metropolitan Centre Zone, City Centre Zone, Hospital Zone, Tertiary Education Zone, Quarry Zone and Seaview Marina Zone:*
 - *The support structure must not exceed a maximum height above ground level of ~~272~~28m (single provider).*
 - *The support structure must not exceed a maximum height above ground level of ~~323~~33m (two or more providers).*

Assessment

- (505) The reasoning provided by the Telecommunications Companies for the requested changes is that taller buildings (enabled through less restrictive zone chapter provisions) could impact the function of telecommunication facilities, both in terms of providing clutter which interferes with clear signals and increasing exposure to, and sensitivity of people, to radiofrequency. Their preferred approach (stated in their reasons) is for the permitted heights for telecommunications poles to be 5m greater than the permitted height for buildings and structures in the relevant zone.
- (506) For the most part, the heights provided for in INF-S6 as notified allow for an additional 5m (or near to) for single providers than the equivalent standard in the relevant zone chapter. However, INF-S6 does not account for the Specific Height Control Overlay (SHCO).
- (507) The SHCO provides greater height allowance in some central areas. In Wainuiomata, the SHCO includes more restrictive heights in the MUZ to provide a graduation of enabled height between residential and commercial areas, and in the MUZ more restrictive heights are imposed to protect the retail character of Jackson Street.

- (508) I consider that providing an additional 5m allowance for telecommunication poles in the SHCO, including where the overlay applies a more restrictive provision than otherwise applied in the zone, will not undermine the intent of this overlay, and will help prevent clutter from buildings and structures from interfering with telecommunication signals.
- (509) I consider that INF-S6 can adopt a simplified form, whereby the permitted height is identified in reference to that permitted in the zone chapter or SHCO with an additional 5m. Such an approach would align with the Wellington City Council District Plan. A similar approach is also taken in the Porirua district plan.
- (510) There is no minimum height standard in the CCZ, or in the MCZ outside of the SHCO overlay. However, I still consider it appropriate to specify a maximum height for telecommunication poles in these zone, due to the character and amenity expectations for built development which is described in the objectives and policies for these zones. In these zones there may be greater opportunities for the use of building mounted antennas to manage the potential effects of signal interference.

Recommendations

- (511) Accept in part the submission points of KiwiRail (442.45a) and Clarus (474.34), and retain standard INF-S6 with amendments as detailed below,
- (512) Accept in part the submission point of the Telecommunication Companies (311.63), and
- (513) Replace standard INF-S6 with the following (while retaining the matters of discretion as notified):

INF-S6 Height – Support structures not regulated by the NESTF

Residential zones, Rural zones, Industrial zones, Open Space and Recreation zones, Special Purpose zones, Local Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone

1. The support structure must not exceed a maximum height of the permitted height for the relevant zone or the Specific Height Control Overlay, plus 5 metres.

2. A further 5 metres in height is afforded where two or more infrastructure providers are co-located on the same structure.

City Centre Zone

3. The support structure must not exceed a maximum height above ground level of 27m (single provider).

4. The support structure must not exceed a maximum height above ground level of 32m (two or more providers).

Metropolitan Centre Zone

5. Where located in the Specific Height Control Overlay: the support structure must not exceed a maximum height of the Specific Height Control Overlay, plus 5 metres.

6. Where not located in the Specific Height Control Overlay:

a. The support structure must not exceed a maximum height above ground level of 27m (single provider).

b. The support structure must not exceed a maximum height above ground level of 32m (two or more providers).

4.4.7.4 INF-S7 Size – Support structures not regulated by the NESTF

Submissions

(514) KiwiRail (442.45b) and Clarus (474.35) seek that standard INF-S7 (relating to support structures not regulated by the NESTF) is retained as notified.

(515) The Telecommunication Companies (311.64) seek to modify INF-S7 as follows:

INF-S7 ~~Size~~ Width or diameter – Support structures not regulated by the NESTF

....

Note – This standard does not apply to any antenna or headframe provided for under INF-S9.

Assessment

(516) I support the requested change to the description of INF-S7 as providing more clarity to plan users. I do not agree with the inclusion of a note, as I consider it is clear the standards are regulating different activities. The inclusion of the note may be confusing as it suggests that otherwise (and

elsewhere in the chapter) 'support structures' may include antennas or headframes.

Recommendation

- (517) Accept in part the submission points of KiwiRail (442.45b) and Clarus (474.35), and retain standard INF-S7 with amendments as detailed below,
- (518) Accept in part the submission point of the Telecommunication Companies (311.64), and
- (519) Amend the description of standard INF-S7 as follows:

INF-S7 ~~Size~~ Width or diameter – Support structures not regulated by the NESTF

4.4.7.5 INF-S8 Location – Support structures

Submissions

- (520) The Telecommunication Companies (311.65), the Fuel Companies (471.112) and Clarus (474.36) seek that standard INF-S8 (relating to the location of support structures) is retained as notified.
- (521) KiwiRail (442.46), supported by WRC (F38.61), seeks modifications to INF-S8 as follows:

1. ~~[to be removed due to plan-stop requirements]~~

2. Any part of an aboveground building or structure is set back at least 5m from the rail corridor designation boundary KRH-01, KRH-02 and KRH-03.

~~2.3.~~ The support structure must not be located within 10m of a side or rear boundary that adjoins a residential zone, except:

- a. Where it does not exceed 5m in height, or*
 - b. Where it is located in road reserve or the rail corridor.*
- subject to compliance also being achieved with INFS8(2).*

Matters of discretion if the standard is breached:

...

- 5. Impact on the safe and efficient operation of the railway network.*

6. *The outcome of any consultation with KiwiRail in regard to any building or structure within 5m of the railway corridor.*

Assessment

- (522) INF-S8 is an applicable standard for rules controlling support structures for telecommunications or aboveground lines (INF-R12) and ancillary transport network infrastructure (INF-R22). The KRH-O3 designation abuts road reserve for large stretches (most notably Cambridge Terrace and Oxford Terrace). This road reserve includes ancillary transport network infrastructure such as light fixtures, and also includes electricity distribution lines and their support structures. The insertion of clause 2 proposed by KiwiRail places an unreasonable restriction on these activities and other activities which may be regulated under INF-R12 and INF-R22.
- (523) In addition, if the standard were to be amended, I think it is inappropriate for a standard in a plan to refer to the boundary of a designation, which could change in the future through a notice of requirement process, which would result in an expansion of the constraints applied through the standard to new areas without parties affected by the expansion being able to be heard on that expansion.

Recommendation

- (524) Accept the submission points of the Telecommunication Companies (311.65), the Fuel Companies (471.112) and Clarus (474.36),
- (525) Reject the submission point of KiwiRail (442.46), and
- (526) Retain standard INF-S8 as notified.

4.4.7.6 INF-S9 Size – Antennas and aboveground mounted equipment

Submissions

- (527) The Telecommunication Companies (311.66) seek to amend INF-S9 (relating to antennas and aboveground mounted equipment) as follows:
1. *A panel antenna:*
 - a. *Must not exceed a **front face** width of 0.7m, and*

b. *When in a road reserve, must fit within an envelope of 3.5m in length and 0.7m in width.*

....

5. *In residential zones, aboveground mounted equipment associated with antennas must be located within the antenna mounts.*

6. *Aboveground mounted equipment must not exceed 1m in length.*

7. *The area when measured in plan view of aboveground mounted equipment not associated with antennas must not exceed:*

a. *0.5m² if unenclosed, and*

b. *1.0m² if enclosed in a three-dimensional casing.*

Assessment

- (528) INF-S9 is applicable to antennas and aboveground mounted equipment attached to existing (INF-R11) and new (INF-R12) support structures not regulated by the NESTF, and ancillary transport network infrastructure (INF-R22). The NESTF regulates telecommunications and radiocommunication antennas on all existing poles, on new poles that are in the road reserve and within 100m of an existing pole, and on new poles which are outside the road reserve and in a rural zone. The District Plan regulates antennas on new poles that are in the road reserve and further than 100m from an existing pole, and on new poles which are outside the road reserve and not in a rural zone.
- (529) I agree with the submitter that the addition of "front face" provides useful clarification of sub-clause 1(a).
- (530) In their reasons supporting the deletion of clauses 5 to 7, the submitter raises concern with misalignment with how similar activities are regulated in the NESTF (which do not regulate aboveground mounted equipment). The PDP is also misaligned with the NESTF in that it provides for headframes (2.5m wide in residential zones) as a permitted activity. In this respect, I consider the INF-S9 as proposed, to be far more enabling of mounting antennas on new poles than comparable NESTF provisions. It follows that the more antennas are able to be mounted on a pole, the more ancillary

equipment is also required to be mounted to support their operation. Therefore, I consider that the requirements managing aboveground mounted equipment supports the more enabling approach (compared to the NESTF) that the PDP takes with respect to headframes. I do not consider the requirements in clauses 5 to 7 to be restrictive, but will ensure the visual effects of such equipment are appropriately contained.

Recommendation

- (531) Accept in part the submission point of the Telecommunication Companies (311.66), and
- (532) Amend standard INF-S9.1 as follows:
 - 1. *A panel antenna:*
 - a. *Must not exceed a front face width of 0.7m, and*
 - b. *When in a road reserve, must fit within an envelope of 3.5m in length and 0.7m in width.*

4.4.7.7 INF-S13 Signs

Submissions

- (533) The Telecommunication Companies (311.70) seek that standard INF-S13 (relating to signs) is retained as notified.
- (534) Laura Skilton (314.74) seeks to add a clause to the standard exempting signs which are erected by Hutt City Council in the role as road control authority.
- (535) NZTA (385.35) seeks to include a clause which requires signs to not be orientated in a way by which they may be read from the state highway, including on-ramps.

Assessment

- (536) Standard INF-S13 applies to rule INF-R6 (Signs...not including signs for the purpose of operating the transport network...) and INF-R21 (Signs for the purpose of operating the transport network...).
- (537) I agree with the intent of the relief requested by Ms Skilton (314.74), however this relief is addressed by modifications to the rule INF-R21 made necessary by the plan stop withdrawal. In the notified PDP, non-compliance

with INF-S13 only triggered resource consent for road controlling authorities for signs located in overlays which have now been withdrawn from the PDP. In rationalising the rule structure to remove the withdrawn parts (which includes combining rules INF-R6 and INF-R21), standard INF-S13 has been removed as a relevant standard of signs which are for the purpose of operating the transport network.

- (538) With respect to the relief requested by NZTA, rule INF-R13 also requires compliance with standard SIGN-S8 which includes requirements to manage effects on the state highway. I consider it is unnecessary to include additional requirements in INF-S13. With respect to INF-R21, I consider it is unnecessary to impose such requirements on Hutt City Council as a road controlling authority.

Recommendation

- (539) Accept the submission point of the Telecommunications Companies (311.70),
- (540) Accept in part the submission point of Laura Skilton (314.74),
- (541) Reject the submission point of NZTA (385.35), and
- (542) Retain standard INF-S13 as notified.

4.4.7.8 INF-S14 Buildings and structures, other than cabinets or support structures

Submissions

- (543) The Telecommunication Companies (311.71), Powerco (414.40), Clarus (474.37), Transpower (504.42) and oOh Media (517.23) seek that standard INF-S14 (relating to buildings and structures other than cabinets and support structures) is retained as notified.
- (544) KiwiRail (442.47), supported by WRC (F38.42), seeks the insertion of a new clause to INF-S14 as follows:
1. *Any part of a building or structure is setback at least 5m from the rail corridor designation boundary KRH-01, KRH-02 and KRH-03.*
 - ~~1.~~ 2. *Where located on a site...*

~~2.~~ 3. *Where not located on a site...*

Assessment

- (545) INF-S14 is an applicable standard for rules INF-R17 (Upgrading of transmission lines... including associated support structures), INF-R19 (New substations... for the National Grid), INF-R22 (Ancillary transport network infrastructure) and INF-R25 (Infrastructure not otherwise provided for...).
- (546) The general approach of rail corridor setbacks is discussed in more detail in the PINF section of this report.
- (547) Clause 1 of standard INF-S14 as proposed requires buildings to comply with the setback of the applicable zoning. This is a 1 metre setback from rear and side boundaries within residential zones.
- (548) I do not consider the submitter has provided a sufficient explanation of why the existing setback requirements in the PDP are insufficient, nor why a setback distance of 5m is necessary to protect activities within the rail designation. Due to the extent of road reserve abutting rail designation, and its use as an infrastructure corridor for both the transport network and other infrastructure, I consider a 5m setback requirement to be an unreasonable imposition on infrastructure providers. I consider this approach would not be consistent with policies INF-P1, INF-P2 and INF-P.5.

Recommendation

- (549) Accept the submission points of the Telecommunication Companies (311.71), Powerco (414.40), Clarus (474.37), Transpower (504.42) and oOh Media (517.23),
- (550) Reject the submission point of KiwiRail (442.47), and
- (551) Retain standard INF-S14 as notified.

4.4.7.9 INF-S15 Road design and Table 1 – Street trees specifications

Submissions

- (552) WRC (452.40) and oOh Media (517.24) seek that the standard is retained as notified.
- (553) FENZ (374.25) seek to amend standard INF-S15 as follows:

INF-S15 Road design

All zones –

...

6. All roads must be formed with a minimum 4m permanently navigable movement lane, minimum 4m height clearance, and a maximum gradient of 20% for a straight ramp or 10% for curved ramps, to ensure suitable access for firefighting.

- (554) The Telecommunication Companies (311.72), opposed by NZTA (F20.5), seek to amend standard INF-S15 as follows:

INF-S15 Road design

All zones –

...

10. Provide a berm at least 1m wide for infrastructure to be located.

- (555) NZTA (385.36) seek to include the following advice note in standard INF-S15.

Note: The construction and operation of a new state highway will not be required to comply with these standards.

- (556) The Telecommunications Companies (311.73), seek to amend Table 1 to include a minimum setback requirement (5m) for new street trees in relation to telecommunications infrastructure.

- (557) Powerco (414.41) seeks to amend Table 1 as follows:

Horizontal setback distances from underground infrastructure (m):

<600mm: ~~0.50~~ 1.5 600+mm: ~~1.5~~ 3

- (558) Christene Loweth (267.18) seeks that roads are made wide enough to accommodate parked vehicles, or that there are mandatory requirements for off-street parking (this latter part is addressed in the TR report).

Assessment

- (559) With regard to the relief requested by FENZ, the design standards for roads are specified within NZS 4404 (as per clause INF-S15.2), unless otherwise superseded by other clauses in the standard. NZS 4404 identifies maximum gradients which vary between 10% and 20% depending on the road type. Specifying a blanket 20% gradient for “straight ramps” in clause 6 of the policy would supersede the requirements of NZS 4404, and would thereby

result in more enabling road gradient specification. I do not think this relief is consistent with the intent of the FENZ submission, however they may wish to clarify otherwise through the hearing.

- (560) In assessing the request of FENZ to regulate curved ramps and to require minimum height clearances, I rely on the advice of traffic engineer Luke Benner (see Appendix 4). I understand the regulation on the maximum gradient of curved ramps is a particular consideration for driveway construction due to the relatively constrained dimensions of driveways (compared to a public road). I have recommended accepting similar relief requested by FENZ on Transport chapter provisions, in relation to driveway design. INF-S15 requires roads be designed in accordance with NZS 4404, with limited exceptions. The design parameters for roads under NZS 4404 are sufficient whereby additional regulation of the gradient of curved ramps and minimum height clearances is not necessary.
- (561) I agree with the relief requested by the Telecommunication Companies (311.72), requesting the inclusion of a minimum infrastructure berm. While INF-S15 does include requirements for berms through INF-S15.2 which references NZS 4404, these minimum requirements are highly variable and the berm requirements are not reserved for infrastructure services. I agree with the submitter that the requested relief will improve alignment with policy INF-P7.3(b) which refers to adequate space in the road reserve for infrastructure. I consider the relief also aligns with policy INF-P3.5 which encourages the use of roads as infrastructure corridors. I consider that the infrastructure berm should be specified as additional to the berm requirements specified for street trees, as trees may obstruct access to infrastructure located in the berm. This approach is consistent with that taken in the WCC and PCC district plans.
- (562) I agree in part with the relief requested by the Telecommunications Companies (311.73) for setback requirements for new trees (Table 1) from telecommunications infrastructure. Specifically, I agree that it is reasonable to apply a 5m setback from telecommunication poles, on the same basis as the setback requirement from street lights. However, I consider a setback requirement of 5m from all telecommunications infrastructure to be unnecessarily restrictive. I have discussed this proposal with the Council Officer responsible for managing street trees, Colin Lunn,

who considers complying with such a standard would significantly constrain or preclude the supply of new street trees.

(563) I consider that, as consequential relief to my recommendation in response to 311.73, that Table 1 could be amended to clarify its application to underground telecommunications infrastructure.

(564) I disagree with the relief requested by Powerco (414.41) to increase setback distances for new street trees for the following reasons:

- It places an unreasonable restriction on the road controlling authority, who generally own the relevant land, and their ability to manage the transport corridor, which includes the provision street trees.
- Tree roots are not as much a direct threat of damage to underground pipes or cables, although they may obstruct maintenance access to existing services. This is a long-standing reality of infrastructure co-locating in the road corridor.
- The proposed setback requirements of the PDP as notified are consistent with those in the Wellington City and Porirua district plans.

(565) I agree with the relief requested by NZTA (385.36). The requirements of the standards, such as those for minimum footpaths and street trees, are intended to apply to local roads and are not appropriate to state highways. Clause 1 of the standard already identifies activities which are exempt from the standard, so I recommend that this be expanded to include state highway infrastructure, rather than including the advice note requested by the submitter.

(566) In response to the submission point of Christene Loweth (267.18) requesting that roads are made wide enough to accommodate vehicle parking, there are a lot of demands for space in the road corridor, including vehicle movement lanes, active transport networks and other infrastructure, whereby space can be at a premium. Prioritising the allocation of space for parked vehicles over other demands within constrained environments may not always be appropriate.

(567) NZS 4404 which is referenced in INF-S15.2 specifies corridor widths, including space for parking or loading areas. These requirements vary by the context of the urban environment and road function, and in some cases there is no minimum specification for on-road parking.

- (568) I consider this approach aligns with INF-P7.3(c), as I have recommended it be modified, which refers to allocation of space in the road corridor for a variety of functions including vehicle parking “where appropriate”
- (569) The District Plan provides for the intensification of urban environments without specifying minimum on-street parking requirements, whereby increasing demands for on-street parking can be expected. Policy 11(b) of the NPS-UD strongly encourages tier 1 local authorities to manage the effects related to the supply and demand of car parking through comprehensive car parking management plans. The Te Awa Kairangi ki Tai Lower Hutt – Parking Strategy 2024, was informed by the NPS-UD and sets out the management of on-street parking in Lower Hutt through parking management plans which consider the appropriate allocation of space for vehicle parking in relation to safety, and the other priorities and demand for space in the road reserve.

Recommendation

- (570) Accept in part the submission points of WRC (452.40) and oOh Media (517.24), and retain INF-S15 with amendments to other submissions,
- (571) Reject the submission point of FENZ (374.25),
- (572) Accept in part the submission points of the Telecommunication Companies (311.72, 311.73),
- (573) Reject the submission point of Powerco (414.41),
- (574) Reject the submission point of Christene Loweth (267.18). (I have also assessed part of this submission point in the Transport s42A report, which also recommended that the submission point be rejected),
- (575) Accept in part the submission point of NZTA (385.36), and
- (576) Amend INF-S15 and Table 1 as follows:

INF-S15 Road design

1. *Cycleways and shared paths located outside of the road reserve, and state highways, are exempt from this standard.*

...

10. *All roads must include a 1m wide infrastructure berm. The infrastructure berm must be provided in addition to any footpaths*

and street tree berms which are required by a clause in this standard or Table 1 Street trees specifications.

Table 1 Street trees specifications

Horizontal setback distances from underground infrastructure (m)

<600mm: 0.50 600+mm: 1.5

- *Manholes, drainage catchments, surface openings*
- *...*
- *Telecommunication lines including customer connection lines*

Horizontal setback distances from structures (m)

<600mm: 5.0 600+mm: 5.0

- *Street lights*
- *Telecommunication poles*

4.4.7.10 INF-S16 Earthworks – Slope, height, depth, and location

Submissions

- (577) The Telecommunication Companies (311.74), the Fuel Companies (471.113), Clarus (474.32, 474.38), Transpower (504.42) and oOh Media (517.25) seek that standard INF-S16 (relating to slope, height, depth and location of earthworks) is retained as notified.
- (578) Powerco (414.42), supported by Wellington Water (F36.90), seeks to amend the standard as follows:

INF-S16 Earthworks – Slope, height, depth, and location

All Zones

....

3. *Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except where the site boundary separates adjoining sites which are both within the area of*

land subject to the proposed works, or where earthworks are within the road corridor.

- (579) KiwiRail (442.48), supported by Wellington Water (F36.91), seeks to amend the matters of discretion for INF-S16 as follows:

Matters of discretion if the standard is breached:

...

4. Methods for t~~The~~ retention of silt and sediment on the site and the control of dust.

5. Any~~The~~ staging of earthworks.

6. The total area of exposed soils at any point in time.

7. Any~~The~~ effect of the earthworks on the identified coastal natural character values in the area.

...

10. Any~~The~~ effect of earthworks on the natural character of the coastal or riparian margin.

11. Whether there is any change to natural hazard risk and whether risks have been minimised to the extent practicable.

12. The functional need and operational need of, and benefits derived from earthworks, including the potential impact on the levels of service, operational efficiency or health and safety if the work is not undertaken.

- (580) The Policy Planning Team of Hutt City Council (440.23) seeks corrections to replace references in INF-S16 to 'Stream Corridor Overlay' and 'Overland Flow Path' with 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay', respectively.

Assessment

- (581) I agree with the relief requested by Powerco (414.42) as INF-S16.3 unreasonably restricts earthworks for infrastructure purposes in the road corridor.

- (582) I disagree with the relief requested by KiwiRail (442.48) to alter matter of discretion #11 of INF-S16 and to add an additional matter of discretion #12. I

consider that the proposed additional content unnecessarily duplicates matters of discretion which are explicitly stated in the rule (such as functional and operational needs) or are stated in the matters of discretion in the rule which refer to policies INF-P1 to INF-P6 (such as the benefits of infrastructure and managing adverse effects). I agree the other minor changes suggested by the submitter to matters of discretion #4, 5, 7 and 10, improve their readability.

- (583) I agree with the relief requested by Policy Planning Team of Hutt City Council (440.23) as this will ensure consistent usage of terminology which will support plan readability.

Recommendation

- (584) Accept in part the submission points of Telecommunication Companies (311.74), the Fuel Companies (471.113), Clarus (474.32, 474.38), Transpower (504.42) and oOh Media (517.25), and retain INF-S16 with amendments,

- (585) Accept the submission point of Powerco (414.42),

- (586) Accept in part the submission point of KiwiRail (442.48),

- (587) Accept the submission point of the Policy Planning Team of Hutt City Council (440.23), and

- (588) Amend standard INF-S16 as follows:

INF-S16 Earthworks – Slope, height, depth, and location

All Zones

....

3. *Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane, except where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works or where earthworks are within the road corridor.*

...

Medium Flood Hazard Overlay ~~Stream Corridor Overlay~~

High Flood Hazard Overlay ~~Overland Flow Overlay~~

9. *Earthworks cut or fill must not permanently change the ground level*

All zones

Matters of discretion if the standard is breached:

...

4. *~~Methods for t~~The retention of silt and sediment on the site and the control of dust.*

5. *~~Any~~The staging of earthworks.*

6. *The total area of exposed soils at any point in time.*

...

11. *Whether there is any change to natural hazard risk.*

4.4.7.11 INF-S17 Earthworks – Area limit, including trenching

Submissions

(589) The Telecommunication Companies (311.75), Powerco (414.43) the Fuel Companies (471.114), Clarus (474.39), Transpower (504.42) and oOh Media (517.26) seek that standard INF-S17 (relating to the area limit for earthworks) is retained as notified.

(590) Wellington Electricity (415.7a), opposed by WRC (F38.40), seeks to amend INF-S17 to include the following exemption:

Exemption:

This standard does not apply to trenching works located within the road reserve or designated infrastructure corridors, where the works are associated with a network utility service and:

a) The works are temporary in nature and reinstated within 10 working days;

b) The works comply with the Electricity (Safety) Regulations 2010;

c) The works are managed under a certified Construction Management Plan, Traffic Management Plan, and Earthworks

Management Plan prepared in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region (Greater Wellington Regional Council, 2019); and

d) The works do not result in long term land disturbance or permanent modification to surface conditions beyond reinstatement to pre-existing conditions.

- (591) As alternative relief to the above, Wellington Electricity (415.7b), opposed by WRC (F38.41), seek that the area thresholds for trenching within road reserves be significantly increased (e.g. to 1,000 m² per 12 months or based on linear trench length).
- (592) Wellington Water (422.10) seeks amendments which provide exceptions for its activities in relation to zoning based earthworks restrictions.

Assessment

- (593) The reasoning provided by Wellington Electricity in support of their requested relief is that trenching required for electricity infrastructure often exceeds 250m in a single day (which is the threshold specified by INF-S17 for residential zones). Whether or not this is the case, I consider that earthworks above these thresholds will have adverse effects which are appropriate to manage through the resource consent process.
- (594) Earthworks for infrastructure which exceed 250m² in a residential zone (for example), will still be permitted under INF-S17, provided that they are undertaken in staged way so that no more than 250m² is open at one time. I consider this approach is suitably enabling for infrastructure providers while containing the potential adverse effects of their activities.
- (595) I agree in part with Wellington Water (422.10), that the standard is unclear in how it applies to earthworks which traverse zone boundaries. However, I consider that clarifying how this works is the better approach rather than providing an exception to Wellington Water's activities.

Recommendation

- (596) Accept in part the submission points of Telecommunication Companies (311.75), Powerco (414.43) the Fuel Companies (471.114), Clarus (474.39), Transpower (504.42) and oOh Media (517.26), and retain INF-S17 with amendments,

- (597) Reject the submission points of Wellington Electricity (415.7a, 415.7b),
- (598) Accept in part with the submission point of Wellington Water (422.10), and
- (599) Amend standard INF-S17 as to include the following advice note after the matters of discretion:

Note:

Where earthworks traverse zone boundaries with different permitted thresholds for maximum area.

- The overall area must not exceed the higher of the permitted thresholds of the two zones.
- That section of earthworks which is contained in the zone with the smaller threshold must not exceed that threshold.

For example, the total earthworks in a residential zone is permitted up to 250m². However it may extend over the boundary to a rural zone for an additional 750m².

4.4.7.12 INF-S21 Earthworks – Upgrading of transmission lines not regulated by the NESETA

Submissions

- (600) Transpower (504.43) seeks that standard INF-S21 (relating to earthworks for upgrading transmission lines not regulated by the NESETA) is deleted as there are no existing National Grid assets that are either not regulated by the NESETA or that are not subject to a designation.

Assessment

- (601) The standard applies to transmission lines that are newly established and subsequently upgraded. Therefore, it does not duplicate nor is contrary to the NESETA.
- (602) The standard INF-S21 is applicable only to rule INF-R17 which regulates the upgrading of transmission lines (other than those regulated by NESETA). I consider that activities that comply with this standard (and the other standards included in the rule) constitutes minor upgrading and it is appropriate to provide for as a permitted activity. Therefore, inclusion of

this standard supports the enabling of minor upgrades which aligns INF-P2.1.

Recommendation

- (603) Reject the submission point of Transpower (504.43), and
- (604) Retain standard INF-S21 as notified.

4.4.7.13 New standard – Third party advertising signs

Submissions

- (605) oOh Media (517.18) propose a new standard be included in the PDP for third-party advertising signs and digital signs that are integrated into ancillary transport network infrastructure.

Assessment and recommendation

- (606) As outlined in section 4.3.1.5 of this report, I do not consider third-party advertising signs to be infrastructure or infrastructure-supporting activities. I do not consider there is a need to provide for these activities in the INF chapter.

Recommendation

- (607) Reject the submission point of oOh Media (517.18).

4.4.7.14 Section 32AA evaluation

- (608) I have recommended amendments to standards INF-S2, INF-S4, INF-S6, INF-S9, INF-S15, INF-S16 and INF-S17, including to:
 - Use clearer and more specific language in the description, provisions and assessment matters of standards (INF-S4, INF-S7, INF-S9)
 - Simplify provision for heights of support structures (INF-S6)
 - Include additional specification for road design dimensions and setbacks in the road corridor (INF-S15, INF-S16)
 - Include an advice note to assist implementation of the standard across zones (INF-S17)
- (609) I consider the changes will assist plan useability and interpretation.
- (610) Changes to INF-S6 will simplify the provision for the heights of support structures to be in reference to the heights enabled in the zone. This will

more directly address the potential issue of signal interference related to increase building heights, while ensuring the heights permitted under INF-S6 are not out of proportion for the zone.

- (611) Changes to INF-S15 and INF-S16 will assist with the provision for and co-location of infrastructure activities in the road corridor.
- (612) I consider the amendments achieve a reasonable balance between benefits and costs, and efficiently and effectively implement objectives and policies of the plan.

4.4.8 Definitions

4.4.8.1 Aboveground mounted equipment

Submissions

- (613) The Telecommunication Companies (311.1) request the definition of 'Aboveground mounted equipment' is amended as follows:

Aboveground mounted equipment:

means equipment which are located above ground level on a support structure, and includes transformers, switches, capacitors, battery banks, small cell units and similar devices, ~~and supporting equipment for~~ antennas.

Does not include:

- a. antennas and ancillary equipment for antenna,*
- b. aerials, or*
- c. lighting devices.*

Assessment

- (614) The reasons provided by the submitter for this relief, is that ancillary equipment for antennas is provided for under the NESTF. This is true so far as it relates to activities regulated by the NESTF. Activities not regulated by the NESTF includes antennas on new poles which are within the road reserve and not within 100m of an existing pole, and antennas on poles which are not within the road reserve and not within a rural zone. The

District Plan regulates these activities and this includes through provisions for aboveground mounted equipment.

Recommendation

- (615) Reject the submission point of the Telecommunication Companies (311.1), and
- (616) Retain the definition as notified.

4.4.8.2 New definition – Additional infrastructure

Submissions

- (617) The Ministry of Education (399.7) requests the inclusion of “additional infrastructure” as a defined term, consistent with how the term is defined in the NPS-UD.

Assessment

- (618) The NPS-UD and the NPS-I provide different definitions for “additional infrastructure”. Kate Pascall, the reporting officer for Hearing Stream #1, recommended in her rebuttal evidence (in response to another submitter), that a definition for “additional infrastructure” be included based on the NPS-I defined term. Ms Pascall did not include a recommendation with respect to submission point 399.7.
- (619) I agree with the assessment of Ms Pascall and the recommendation to include a definition of “additional infrastructure” as defined in the NPS-I.

Recommendations

- (620) Accept in part the submission point of the Ministry of Education (399.7), in that I recommend the inclusion of a definition of “additional infrastructure”, but that the definition align with that of the NPS-I rather than the NPS-UD (as recommended by Ms Pascall).

4.4.8.3 Ancillary transport network infrastructure

Submission

- (621) oOh Media (517.1) seeks the definition of Ancillary transport network infrastructure is retained as notified.
- (622) NZTA (385.4) seeks to amend the definition as follows:

Ancillary transport network infrastructure

means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, but is not limited to:

....

- (623) KiwiRail (442.4), supported by WRC (F38.5), seeks to amend the definition as follows:

Ancillary transport network infrastructure

means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, but is not limited to:

....

g. ~~public~~ toilets, or

...

- (624) Enviro NZ (323.4) seeks to amend the definition as follows:

Ancillary transport network infrastructure

means infrastructure located within the road reserve and rail corridor that supports the transport network and includes:

...

j. space for Council kerbside waste bins.

Assessment

- (625) I agree with the inclusion of the phrase “but is not limited to” to the chapeau of the definition (385.4, 442.4). This will make clearer the intent that the items in the definition are not intended to be an exhaustive list. I consider the breadth of activities described in the definition is otherwise quite confined by the chapeau, particularly the words “mean infrastructure located within the road reserve and rail corridor...”, whereby the addition of the words “but is not limited to” will not make the definition open-ended.
- (626) The items listed in the definition refer to permanent fixtures, and I am unclear on the need (as reasoned by KiwiRail) to modify the definition provide for toilets that are for the exclusive use of staff and contractors working in the road or rail corridor. I consider such facilities would be ancillary to the operation, maintenance or development of transport

infrastructure and therefore provided for in the provisions which regulate these activities.

- (627) With regard to Enviro NZ (323.4), I do not consider the definition of “ancillary transport network infrastructure” is the place to specify minimum space for kerbside bins, and I do not consider this fits with the other items specified in the definition (which describe fixtures). The standard INF-S15 Road design, specifies minimum requirements for the design of roads including road widths. Provisions for refuse bin storage for multi residential unit development are included in the TR chapter, and also with Council’s Solid Waste Management and Minimisation Bylaw 2021.

Recommendations

- (628) Accept in part the submission point of oOh Media (517.1), in that the definition of Ancillary transport network infrastructure be retained but with amendments in response to requests of other submitters,
- (629) Reject the submission point of Enviro NZ (323.4),
- (630) Accept the submission point of NZTA (385.4), and accept in part the submission point of KiwiRail (442.4), and
- (631) Amend the definition as follows:

Ancillary transport network infrastructure

means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, but is not limited to:

....

4.4.8.4 Functional need

Submissions

- (632) Horokiwi Quarries (246.2), the Telecommunication Companies (311.6), FENZ (374.3), KiwiRail (442.5) and the Fuel Companies (471.24) support the definition and seek that it is retained as notified.
- (633) Health NZ (518.1, F37.3, F37.4, F37.5) opposes in part the submission points of the Telecommunication Companies, KiwiRail and the Fuel Companies, and seeks to amend the definition of “functional need” as follows:

means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. Furthermore, in the case of Hospital and Health Care Activity at Hutt Hospital functional need is constrained and there are no viable alternatives for the hospital.

Assessment

- (634) 'Functional need' is a defined term in the definitions list of the National Planning Standards. Under the Definitions Standard, where a term from the definitions list is used in a plan, it must be consistent with definitions list definition.
- (635) I do not consider the relief requested by Health NZ (518.1) will assist in plan interpretation or implementation where the term "functional need" is used.

Recommendations

- (636) Accept the submission points of Horokiwi Quarries (246.2), the Telecommunication Companies (311.6), FENZ (374.3), KiwiRail (442.5) and the Fuel Companies (471.24),
- (637) Reject the submission points of Health NZ (518.1, F37.4, F37.5), and
- (638) Retain the definition as notified.

4.4.8.5 Green infrastructure

Submissions

- (639) Enviro NZ (323.8) support the definition of 'green infrastructure' and seek it is retained as notified.
- (640) Ron Beernink and Glenda McCallum (303.9) support in part the definition of 'green infrastructure'. They have not sought specific relief but state "the definition of green infrastructure is too narrow".

Assessment

- (641) 'Green infrastructure' is a defined term in the definitions list of the National Planning Standards. Under the Definitions Standard, where a term from the definitions list is used in a plan, it must be consistent with definitions list definition.

Recommendations

- (642) Accept the submission point of Enviro NZ (323.8).
- (643) Reject the submission point of Ron Beernink and Glenda McCallum (303.9).
- (644) Retain the definition as notified.

4.4.8.6 Infrastructure, New definition – Waste management facility

Submissions

- (645) The Telecommunication Companies (311.7, opposed in part by Health NZ – F37.3), the Fuel Companies (471.33) and Transpower (504.4) support the ‘infrastructure’ definition and seek that it is retained as notified.
- (646) Enviro NZ (323.10) seek to add an additional clause to the “infrastructure” definition as follows:

has the same meaning as in section 2 of the RMA (as set out below)

...

m. district or regional resource recovery or waste disposal facilities.

- (647) Waste Management NZ (461.6, 461.8, F39.2) seek amendments for an additional clause to the “infrastructure” definition, with this amendment supported by a proposed new defined term for “Waste management facility” as follows:

Infrastructure

has the same meaning as in section 2 of the RMA (as set out below)

includes

...

m. landfills, cleanfills, managed fills and waste management facilities.

Waste management facility

Waste management facility means a facility used for receiving waste for transfer, minimisation, treatment, disposal, or temporary storage.

Includes:

- *resource recovery parks;*
- *refuse transfer stations; and*
- *recycling.*

Excludes:

- *landfills, managed fills and clean fills.*

(648) The NZ Defence Force (404.1), supported in part by Health NZ (F37.10), seek the “infrastructure” definition is amended to refer to defence facilities.

(649) Powerco (414.2) seek to amend the “infrastructure” definition as follows:

has the same meaning as in section 2 of the RMA (as set out below)

- a. *pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, biogas, or geothermal energy:*

...

(650) Health NZ (518.9) seeks the inclusion of Hutt Hospital within the definition of “infrastructure”.

Assessment

(651) If the definition of “infrastructure” was modified to include the additional activities sought by the submitters, then either:

- The provisions of the INF chapter would broadly apply to these additional activities where the term “infrastructure” is used in the objectives and provisions of the chapter. Most of these activities are already provided for in other chapters of the PDP, whereby consequential amendments will be required to these chapters to avoid duplication. In some cases, such as where NPS defined terms are used, duplication between INF and other chapters in relation to these additional activities may be unavoidable.
- Alternatively, the INF chapter could be modified such that the additional activities requested by the submitters have the benefit of the objectives and policies of the chapter, but not the rules and standards. This approach has been specifically requested by Enviro NZ (323) in relation to resource recovery and waste disposal facilities. Such an approach would require consequential amendments to the INF chapter to limit the application of rules and standards to certain

activities, and elsewhere to clarify that provisions of other chapters (where applicable to the additional activities subject to this discussion) must be read in conjunction with the objectives and policies of the INF chapter.

- (652) I consider that the requisite amendments to the plan in either of these approaches would negatively impact plan useability. Retroactively applying infrastructure objectives and policies to activities regulated in zone chapters, may undermine the achievement of outcomes for the zone, particularly noting the plan has been prepared prior to consideration of the NPS-I, and has not anticipated the potential for INF objectives and policies to be read alongside zone chapter provisions.
- (653) I have addressed the submissions on the “infrastructure” definition as part of the discussion on the scope of the infrastructure chapter in section 4.3.1 of this report. This includes the extent to which these submissions provide scope for considering alignment of the PDP with the NPS-I, and the extent to which alignment is achieved by the PDP as notified. I repeat some of the key points from this discussion in the following paragraphs.
- (654) With respect to recovery and waste disposal facilities (Enviro NZ, 323.10) and waste management facilities (Waste Management NZ, 461.8, F39.2), I consider the zone chapters are the best location in the PDP to provide for these activities in a way which manages their potential compatibility issues. I consider this approach supports well-functioning urban environments and supports the long-term operation of these activities, and thereby achieves alignment with the NPS-I.
- (655) With regard to defence facilities (NZ Defence Force, 404.1), I do not consider that I have enough information on defence facilities to assess whether the PDP is appropriately aligned with the NPS-I in providing for these activities, or what amendments would achieve improved alignment. I generally consider that providing for defence facilities is better addressed through spatial planning and the designation process, or through the standard zone provisions.
- (656) With regard to the requested inclusion of “biogas” in the clause (a) of the infrastructure definition (Powerco, 414.2), I consider that this is unnecessary as “biofuel” encompasses “biogas”.

- (657) With regard to the Hutt Hospital (Health NZ, 518.9), I consider that the PDP achieves a strong degree of alignment with the NPS-I, through enabling health care activities, which includes the Hutt Hospital, in the special purpose Hospital Zone.
- (658) As I do not recommend modifying the “infrastructure” definition to include “waste management facilities”, I do not consider that a defined term for “waste management facility” is needed to support the interpretation of the “infrastructure” defined term (Waste Management NZ, 461.6), although the term may need to be defined to aid interpretation of other chapters that refer to waste management facilities. The Waste Management submission includes multiple submission points requesting relief relating to the “waste management facility” defined term, which are covered over multiple hearing streams.

Recommendations

- (659) Accept the submission points of the Telecommunication Companies (311.7), the Fuel Companies (471.33) and Transpower (504.4),
- (660) Reject the submission points of Enviro NZ (323.10), Waste Management NZ (461.8), NZ Defence Force (404.1), Powerco (414.2) and Health NZ (518.9).
- (661) I recommend that further consideration of the submission point of Waste Management NZ (461.6) for the inclusion of a defined term for “waste management facility” be deferred for further consideration at later hearing streams. However, I consider the term is not necessary for the purpose of the “infrastructure” definition.

4.4.8.7 Mount

Submission

- (662) The Telecommunication Companies (311.8) oppose the definition of Mount and seek that it is deleted.

Assessment

- (663) The defined term “mount” assists the interpretation of standard INF-S9 (Size – Antennas and aboveground mounted equipment). The submitter has recommended that clause 5 of INF-S9, which includes the term

mounts, be deleted (Telecommunications Companies, 311.66). The term mount or mounts is not otherwise used in the plan.

- (664) In my assessment of submission point 311.66, I have not recommended accepting the relief the delete clause INF-S9.5 and the reference to mounts. Therefore, I recommend retaining the definition to assist the interpretation of this standard.

Recommendation

- (665) Reject the submission point of the Telecommunication Companies (311.8), and
- (666) Retain the definition of Mount as notified.

4.4.8.8 Network utility operator

Submissions

- (667) The Telecommunication Companies (311.9), KiwiRail (442.9, 442.10) and the Fuel Companies (471.45) support the definition of Network utility operator and seek that it is retained as notified.
- (668) Powerco (414.3) seeks to amend the definition of “network utility operator” as follows:

has the same meaning as in s166 of the RMA (as set out below)

means a person who—

- a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, biogas, or geothermal energy; or*

Assessment and recommendation

- (669) I consider the addition of “biogas” to clause (a) of the definition to be unnecessary, as I consider “biofuel” in the same clause to encompass “biofuel”.

Recommendations

- (670) Accept the submission points of the Telecommunication Companies (311.9), KiwiRail (442.9, 442.10) and the Fuel Companies (471.45)
- (671) Reject the submission point of Powerco (414.3), and

(672) Retain the definition of Network utility operator as notified.

4.4.8.9 Operational need

Submissions

(673) Environ NZ (323.13), FENZ (374.7), Powerco (414.4), KiwiRail (442.12) and the Fuel Companies (471.46) request that the definition of Operational need is retained as notified.

(674) Health NZ (518.7, F37.2, F37.13, F37.14, F37.16, F37.17), opposes in part these submission points, and seeks to amend the definition of “operational need” as follows:

means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. Furthermore, in the case of Hospital and Health Care Activities at the Hutt Hospital operational need is evolving, constrained and often there are no viable alternatives.

Assessment

(675) “Operational need” is a defined term in the definitions list of the National Planning Standards. Under the Definitions Standard, where a term from the definitions list is used in a plan, it must be consistent with definitions list definition.

(676) I do not consider the relief requested by Health NZ (518.7) will assist in plan interpretation or implementation where the term “operational need” is used.

Recommendations

(677) Accept the submission points of Enviro NZ (323.13), FENZ (374.7), Powerco (414.4), KiwiRail (442.12), and the Fuel Companies (471.46).

(678) Reject the submission points of Health NZ (518.7, F37.2, F37.13, F37.14, F37.16, F37.17), and

(679) Retain the definition of Operational need as notified.

4.4.8.10 Support structure / New definition – Pole

Submission

- (680) The Telecommunication Companies (311.12) seeks amendments to the definition of “support structure”, and the inclusion of a new defined term “pole”; as follows:

Support structure

means any mast, pole or similar structure used or intended to be used for the support of lighting devices, ~~lighting rods~~, signs, aerials, ~~antennas~~, ~~sensing devices~~, beacons, ~~lines~~ or aboveground mounted equipment.

Pole

has the same meaning as in section 4 of the NESTF (as set out below)

means a pole, mast, lattice tower, or similar structure, of a kind that is able to be used (with or without modification) to support antennas.

Assessment

- (681) The term “support structure” is used in PDP provisions which have a broader application than telecommunication infrastructure. On this basis the defined term is intended to encompass telecommunication poles as well as other above ground network utility structures. Therefore, I disagree with the requested amendment to the “support structure” definition.
- (682) I do agree that the inclusion of a definition of “pole” will assist in plan interpretation, as it will make clear that “support structure” or any defined term or provision which refers to “poles”, means poles as defined by the NESTF.
- (683) The word “pole” is used elsewhere in the plan in a context not related to telecommunications (for example, in standard EW-S13, and the definition of ‘pou’). Therefore, I consider a small amendment to the definition wording requested by the submitter is appropriate to make clear the definition is specific to telecommunications.

Recommendations

- (684) Accept and reject in part the submission point of the Telecommunication Companies (311.12),
- (685) Retain the definition of “support structure” as notified, and

(686) Add a definition for “pole” as follows:

Pole

For telecommunication equipment only, has the same meaning as in section 4 of the NESTF (as set out below)

means a pole, mast, lattice tower, or similar structure, of a kind that is able to be used (with or without modification) to support antennas.

4.4.8.11 Transmission line

Submissions

(687) Transpower (504.12) seeks that the definition of transmission line is amended as follows:

has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (and includes the National Grid (as defined) ~~as set out below~~)

- a. means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and*
- b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but*
- c. does not include an electricity substation.*

Assessment

(688) I disagree with the requested relief. The definition of “transmission line” as notified aligns with the definition included in the NES for Electricity Transmission Activities. This definition was not changed through the 2026 amendment regulations.

(689) In the submitters reasons for their relief they state they are concerned that excluding substations from the definition would have policy implications as INF-P8, clause 7 refers to “transmission lines”. Policy INF-P8 as notified does not include a clause 7 or any reference to transmission lines.

Recommendations

- (690) Reject the submission point of Transpower (504.12), and
- (691) Retain the definition of Transmission line as notified.

4.4.8.12 Transport network

Submissions

- (692) NZTA (385.21) supports the definition of Transport network and seeks that it is retained as notified.
- (693) KiwiRail (442.20) seeks to amend the definition of “transport network” as follows:

means ~~all public~~ the rail network, public roads, public pedestrian and cycling facilities, public transport and associated public infrastructure. It includes but is not limited to:

- a. train stations,*
- b. bus stops,*
- c. bus shelters, and*
- d. Park and Ride areas.*

Assessment

- (694) The definition of “transport network” is worded to include all public rail infrastructure. I disagree with the reasoning provided by the submitter that this somehow excludes parts of the rail network. The notified wording of the term is closer to similar terms in the Wellington and Porirua district plans, than if the wording suggested by the submitter was incorporated.

Recommendation

- (695) Accept the submission point of NZTA (385.21),
- (696) Reject the submission point of KiwiRail (442.20), and
- (697) Retain the definition of Transport network as notified

4.4.8.13 Upgrading / New definition – Minor upgrading

Submissions

- (698) The Telecommunication Companies (311.13), NZTA (385.22), Powerco (414.6), KiwiRail (442.21), the Fuel Companies (471.54), Clarus (474.10) and Transpower (504.13) seek that the definition of “upgrading” is retained as notified.
- (699) Wellington Electricity (415.3a, 415.3b) seeks an exclusion in the “upgrading” definition for minor upgrading, and to include a new defined term – “minor upgrading”.
- (700) It is inferred that KiwiRail (442.8) seek the inclusion of a defined term – “minor upgrading of network utilities”.

Assessment

- (701) The approach taken by the PDP to providing for minor upgrading has been described in Section 4.3.2 of this report. In the INF chapter rules which provide for upgrading, activities which comply with specified standards are in most cases enabled as permitted activities. This provides an effects basis for identifying and providing for minor upgrading, which I consider is better than relying on a definition.

Recommendation

- (702) Accept the submission points of Telecommunication Companies (311.13), NZTA (385.22), Powerco (414.6), KiwiRail (442.21), the Fuel Companies (471.54), Clarus (474.10) and Transpower (504.13).
- (703) Reject the submission points of Wellington Electricity (415.3a, 415.3b) and KiwiRail (442.8).

4.4.8.14 New definition – Maintenance and repair

- (704) The Telecommunications Companies (311.13) seek the inclusion of definition for “maintenance and repair”:

Maintenance and repair

means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading, but does include replacement of an existing structure with a new structure of identical dimensions.

- (705) NZTA (F20.2), supports the Telecommunications Companies submission point 311.13, the Fuel Companies (F32.3) support in part, while Transpower (F12.1) record a neutral position.
- (706) NZTA (385.12), opposed by WRC (F38.10), propose the following definition for “maintenance and repair”:

Maintenance and repair

For the purposes of infrastructure, means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading but does include replacement of an existing structure with a new structure of identical dimensions.

- (707) KiwiRail (442.7), supported in part by the Fuel Companies (F32.7), propose a definition for “maintenance (network utilities)” as follows:

Maintenance (network utilities)

Means any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose.

- (708) WRC (452.9), supported in part by Health NZ (F37.12), seek the inclusion of a new defined term for “maintain/maintenance and repair” as follows:

Maintain/maintenance and repair:

Means any work or activity necessary including replacement or renewal where the effects remain the same or similar in character, intensity and scale, to continue the operation and/or functioning of the existing structure or infrastructure or renewable electricity generation activities or electricity transmission activities. This does not include upgrading.

Assessment

- (709) I agree that the inclusion of a definition for “maintenance and repair” would support plan useability and interpretation. I consider any of the definitions offered by the Telecommunication Companies, NZTA or KiwiRail would be workable. However, I prefer the wording offered by the

Telecommunication Companies and NZTA due to its simplicity and its alignment with the definition used in the Wellington City district plan.

- (710) Maintenance and repair is used in different contexts in the plan, whereby I consider the definition should include some text specifying the extent of its application. The REG chapter uses the term “maintenance and repair” in a similar context, whereby I consider the definition should specify that it applies to renewable electricity generation activities.
- (711) I do not consider the definition offered by WRC is workable due to its reliance on an effects assessment.

Recommendation

- (712) Accept in part the submission points of the Telecommunication Companies (311.13), NZTA (385.12), KiwiRail (442.7) and WRC (452.9), and
- (713) Add a definition for “maintenance and repair” as follows:

Maintenance and repair

For infrastructure and renewable electricity generation activities

means any work or activity necessary to continue the operation or functioning of existing infrastructure or renewable electricity generation activities. It does not include upgrading, but does include replacement of an existing structure with a new structure of identical dimensions.

4.4.8.15 Section 32AA evaluation

- (714) I have recommended amendments to:
- Amend the definition of ‘ancillary transport network infrastructure’
 - Include new definitions for ‘pole’ and ‘maintenance and repair’.
- (715) I consider the recommended changes will assist plan useability and interpretation, and thereby will support the implementation of plan objectives and policies.

5 Protection of infrastructure

chapter

5.1 Chapter summary

- (716) The District-wide matters standard from the National Planning Standards state that provisions relating to energy, infrastructure and transport that are not specific to special purpose zones, should be located in one or more chapters under the “Energy, transport and infrastructure” heading.
- (717) The Protection of Infrastructure chapter is one of five chapters in the PDP which are grouped under the “Energy, transport and infrastructure” heading. The chapter includes provisions to control activities which may have adverse effects on the operation or development of infrastructure. This includes objectives, policies and provisions controlling activities in relation to electricity and gas transmission.
- (718) There are also provisions in other chapters which manage adverse effects of other activities (including reverse sensitivity) on infrastructure. This includes the control of noise sensitive activities in relation to the state highway and rail corridors (located in the Noise chapter). Although the PINF chapter does not include the rules and standards for such activities, it does include some overarching policy direction which provides clarity on the overall management of effects on infrastructure in the PDP.

5.2 Submissions and further submissions

- (719) In total there were 81 submission points, which were in scope and in relation to the PINF topic, as follows:
- There were 14 original submitters who collectively made 57 submission points, including:
 - 33 submission points which relate to provisions within the PINF chapter.

- 20 submission points on definitions which are specific to or primarily used in relation to the PINF topic.
- Four submission points on mapping in relation to the PINF topic.
- Seven further submitters who collectively made 24 further submission points in relation to the above original submissions.

5.3 Key resource management issues

5.3.1 Definition – reverse sensitivity

(720) 'Reverse sensitivity' is a defined term which is used in provisions of the PINF chapter. Submissions on the term have been considered at Hearing Stream #2. I do not consider there is a need to revisit the assessment of these submissions, but note that consequential changes may be required to the use of term in the PINF chapter should there be any changes to the definition.

5.3.2 General protection for regionally significant infrastructure

(721) Several submitters sought broader or more generalised provisions for the protection of regionally significant infrastructure. This includes through alterations to policy PINF-P1, and through the inclusion of a new policy for reverse sensitivity in general, in relation to regionally significant infrastructure.

(722) Policy 8 of the Wellington RPS provides direction for the content of district plans to protect regionally significant infrastructure. Policy PINF-P1 aligns with this direction, and clearly outlines which subdivision, use or development are regulated by the plan to protect regionally significant infrastructure.

(723) I consider that Policy 8 of the RPS does not direct district plans to protect regionally significant infrastructure in an unqualified way, but with specific regard to subdivision, use and development, which is incompatible with, and is located over, under or adjacent to, the regionally significant infrastructure.

- (724) In my view, incorporating general policy direction for protecting regionally significant infrastructure in the way requested by the submitters, does not give the necessary consideration to which types of infrastructure require protection from which types of subdivision, use and development. Therefore, I do not consider accepting such relief would give effect to the RPS, and may result in hanging provisions which are not implemented by rules or standards of the PDP. This issue is discussed further in relation to specific submission points through section 5.4, below.

5.3.3 Setbacks from rail corridor

- (725) KiwiRail seek the inclusion of a new objective, policy and rule (442.51b, 442.54, 442.55) and additional clauses to PINF-PI (442.52), which entail requiring a 5 metre setback for buildings from the rail designation boundary. The outcomes sought in their proposed objective PINF-O3 are the mitigation of health and safety impacts associated with access to the rail corridor, and to mitigate risk of disruption to rail operations.
- (726) Approximately 70% of the private properties abutting the rail designation in Lower Hutt are residential zoned. Under s77I of the RMA, provisions may be less enabling than the MDRS, only where a qualifying matter applies, and only to the extent to accommodate that qualifying matter. I have not located in the KiwiRail submission an assessment of whether a qualifying matter applies, and whether the less enabling provision requested by KiwiRail is proportionate to that qualifying matter.
- (727) There are approximately 450 privately owned properties in Lower Hutt with boundaries abutting a rail designation. The total area of these properties within 5m of the rail designation is over 12 ha. As noted above, the predominant zoning of properties abutting the rail corridor in the ODP is residential, followed by General Business (an industrial zone). The rail corridor designations typically abut the rear boundaries of adjoining properties. In the ODP, development standards for residential zones require a 1 metre setback from side and rear boundaries. The setback standards include some exemptions from this requirement, however the exemptions do not apply to boundaries abutting the rail corridor. In the General Business zone of the ODP, there is no setback requirement with respect to site boundaries abutting the rail corridor.

- (728) In the PDP, the zoning of properties along the rail corridor is largely equivalent to the ODP. The PDP zones carry over the same setback requirements in relation to site boundaries abutting the rail corridor as the equivalent ODP zones. That is, a 1 metre setback for residential zones, and no setback requirement for industrial zones.
- (729) Attachment 2 of the KiwiRail submission includes technical documents, including a s32 assessment, in support of their requested rail corridor setbacks. This evidence considers the issue at a nation-wide context and does not address the Lower Hutt context specifically.
- (730) From my review of KiwiRail's evidence, my understanding of the resource management issue they are seeking to address, is predicated on the following sequence of events occurring:
- A person is working on the exterior of a building, at height and within proximity to the rail designation,
 - An item falls from height or is projected over a distance into the rail corridor,
 - The person then trespasses into the rail corridor to retrieve the item,
 - The person interacts with the rail corridor in a way which puts themselves at harm and/or interferes with rail operations.
- (731) On the evidence provided, I consider the issue appears highly hypothetical and potentially a low risk of resulting in an adverse effect. The evidence identifies 25,688 properties nation-wide, and yet from my review I did not see an example being offered of where the above sequence of events has occurred and resulted in an adverse outcome on safety or rail corridor operations.
- (732) The link between the issue they are seeking to manage and the relief requested, particularly the 5m distance of the setback, appears tenuous. The main factor driving the width of the 5m setback appears to be the potential for falling objects to strike scaffolding and be projected laterally up to 5m while falling, into the rail corridor. This seems improbable.
- (733) The risk of this occurring and resulting in objects landing in the rail corridor, has not been tested against the risks associated with other uses of the land (such as if a deeper setback enabled a more functional outdoor space and children using this space kicked a ball over the fence). Nor has

there been an investigation of other approaches (than the requested relief) implemented in district plans and their efficacy in addressing the issue of concern to KiwiRail.

- (734) With regards to costs, KiwiRail have provided an assessment from Insight Economics on the impact of development capacity which is aggregated at a national level. The s32 assessment acknowledges some impact from the provisions on development, but appears to justify the costs on the basis that these properties adjacent to the rail corridor represent a small number of properties relative to the number of properties in New Zealand overall. I don't consider this is an adequate basis to justify costs imposed on property owners.
- (735) Again the evidence supplied by KiwiRail contends with the issue such as it is, in a general way and a nation-wide basis. I think the issue needs to be specifically considered within the Lower Hutt context. This includes the well-established proximity of urban development along the rail corridor, and the long-standing regulatory settings which have been carried over to the notified PDP. I consider that more justification needs to be provided that the issue is not being managed effectively by the regulatory settings carried through to the PDP, as well as the benefits of additional regulation compared to the cost imposed on the affected properties. As previously noted, there is more than 12 ha of privately owned land that would be covered by a 5m setback. The cost of impeding the use of this land, should be accounted for in any further analysis. Consideration of the issue in context within Lower Hutt should also acknowledge the fencing of the rail corridor, and the extent to which this reduces the potential for rail corridor trespass associated with building work
- (736) The district plans of abutting councils include specific setback requirements from the rail corridor, albeit not as onerous as a 5m requirement. The Porirua District Plan 2025 requires a 1.5m setback (in relevant zones) for properties abutting the rail corridor. The Wellington City 2024 District Plan has setback requirements from the rail corridor which vary by zone from 1.5m to 4m. The Upper Hutt Council District Plan does not include setback requirements from the rail corridor.
- (737) I acknowledge there is some benefit to achieving regional consistency, particularly with the recently completed Porirua and Wellington City district

plans. However, I do not think this is sufficient reason to impose additional regulation without due consideration to Lower Hutt specific benefits and costs of additional regulation.

5.3.4 Hazardous Substances Risk Management Overlay

- (738) Clause 1 of the policy PINF-PI identifies that regionally significant infrastructure is protected by provisions in the Hazardous Substances chapter which control activities sensitive to hazard substances risk within the Hazardous Substances Risk Management Overlay.
- (739) I consider that the inclusion of this clause is erroneous, as the overlay as notified protects only bulk fuel storage facilities, and these facilities are not infrastructure nor regionally significant infrastructure. Notwithstanding this, I do not consider that submissions provide scope for the removal of this clause.
- (740) The Fuel Companies (471) support in part PINF-PI.1, with modification to refer to the protection of a bulk petroleum pipeline (which is regionally significant infrastructure), and have requested similar amendments through the PINF chapter. This aligns with other of their submission points to extend the overlay to cover the pipeline.
- (741) The submission to include the pipeline in the overlay has been addressed at Hearing Stream #2, and is the subject of subsequent conferencing between Council officers and submitters.
- (742) Consideration of whether or not to accept the relief requested by the Fuel Companies in relation to the PINF chapter, will be informed by the outcomes of this conferencing.

5.4 Discussion of submissions and recommendations

5.4.1 Provisions submitted on but not in dispute

(743) The following provisions have only submissions in support with no change sought:

Policies

- PINF-P2 (Adverse effects on gas transmission infrastructure) – supported by Clarus (474.46)
- PINF-P3 (Adverse effects on the National Grid) – supported by Transpower (504.46)

Rules

- PINF-R1 (Activities in the Gas Transmission Pipeline Corridor) – supported by Clarus (474.47)

Definitions

- Activity sensitive to gas transmission infrastructure – supported by the Ministry of Education (399.2) and Clarus (474.1)
- Gas transmission pipeline – supported by Clarus (474.4)
- Gas transmission pipeline corridor – supported by Clarus (474.5)

5.4.2 Whole of PINF chapter

Submission

(744) Clarus (474.42, 474.43), supported by Wellington Water (F36.118), supports in part the PINF chapter, but seeks broader protections for regionally significant infrastructure beyond protections for gas transmission and National Grid Infrastructure.

Assessment

(745) In their reasoning, the submitter notes the protections for regionally significant infrastructure in the chapter are limited in scope, and considers

these should be extended to other significant energy storage, distribution or transmission facilities.

- (746) I have described the approach taken in the PDP for protecting regionally significant infrastructure in the key issues summary for PINF. This includes consideration of which specific types of subdivision, use and development are incompatible with regionally significant infrastructure, and should be regulated in the PDP.
- (747) The submitter has not provided an explanation of which types of subdivision, use and development are incompatible with regionally significant infrastructure that are not already regulated by the PDP.
- (748) I do not support the inclusion of general policy direction for protecting regionally significant infrastructure, particularly where such a policy is not implemented through rules and standards.

Recommendation

- (749) Accept in part the submission point of Clarus 474.42, and retain the chapter as notified with amendments in response to other submissions, and
- (750) Reject submission point 474.43 of Clarus, and do not include broadened policy direction in the chapter.

5.4.3 PINF Introduction

Submissions

- (751) The Fuel Companies (471.117), opposed by Seaview Marina Ltd (F14.13), seek the following amendments to the Introduction:

~~Adverse effects from I-L~~ and use and development can adversely affect the operation and development of infrastructure and regionally significant infrastructure and can thereby impact the successful functioning of the city....

Other chapters of the District Plan also play a role in managing adverse effects on infrastructure. In particular:

...

- *The Hazardous Substances chapter, which includes provisions to protect ~~gas and~~ regionally significant petroleum infrastructure, including the Hutt City fuel transmission pipeline.*

(752) Transpower (504.44) support in part the Introduction. However, they seek the following amendment:

Adverse effects from land use and development can adversely affect the operation and development of infrastructure and can thereby impact the successful functioning of the city and beyond. ...

Assessment

- (753) I support the amendments proposed by the Fuel Companies to the first paragraph of the introduction. There is redundancy in referring to “adverse effects” twice in the first sentence. The definition of “regionally significant infrastructure” as I have recommend it be amended (see 5.4.8.4 of this report), does not nest entirely within the “infrastructure” definition. Examples of this are bulk fuel storage and the Silverstream Landfill, which are included in the RPS definition of ‘regionally significant infrastructure’, but would not be ‘infrastructure’ as defined by the RMA. As such, I consider it is appropriate for both terms to be identified.
- (754) The modification requested by the Fuel Companies to the bullet point referencing the Hazardous Substances chapter relates to their requested relief to PINF-P1 and the Hazardous Substances Risk Management Overlay, to include a buffer for a bulk petroleum pipeline in the overlay. The requested modification to the overlay is being considered through Hearing Stream #3, including conferencing with submitters after the hearing. I consider modifications to the PINF chapter on this matter should be informed by the outcomes of that conferencing.
- (755) I agree with the edit proposed by Transpower (504.44) as this recognises that infrastructure within the city may be part of regional or national networks, whereby effects on infrastructure may extend beyond the city.

Recommendation

- (756) Accept in part the submission point of the Fuel Companies (471.117), noting that a full decision on this submission point may need to be deferred to consider alignment with any modifications made to Hazardous Substances

chapter and Hazardous Substances Risk Management Overlay through Hearing Stream #3,

(757) Accept the submission point of Transpower (504.44), and

(758) Amend the introduction to the PINF chapter as follows:

~~Adverse effects from~~ Land use and development can adversely affect the operation and development of infrastructure and regionally significant infrastructure and can thereby impact the successful functioning of the city and beyond. ...

5.4.4 Objectives

5.4.4.1 PINF-O1 Adverse effects on infrastructure

(759) The Telecommunication Companies (311.78), NZTA (385.37), NZ Defence Force (404.10), Powerco (414.46), Clarus (474.44), and Transpower (504.45) support the objective PINF-O1 and seek that it is retained as notified. These submission points are supported by Wellington Water (F36.108, F36.109, F36.110, F36.111, F36.112).

(760) KiwiRail (442.50) seek that PINF-O1 is modified as follows:

PINF-O1 Adverse effects on infrastructure

~~The adverse effects of subdivision, use, and development do not compromise the operation and development of infrastructure.~~

The safety, maintenance, operation, upgrade or development of infrastructure is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.

(761) The Fuel Companies (471.118), supported by Wellington Water (F36.113), seek to amend the body and description of objective PINF-O1 as follows:

PINF-O1 Adverse effects on regionally significant infrastructure and other infrastructure

The adverse effects of subdivision, use, and development do not compromise the operation and development of infrastructure or regionally significant infrastructure.

Assessment

- (762) I agree in part with the relief requested by KiwiRail (442.50). The notified wording may be read by some plan users as not including reverse sensitivity. I consider this is improved by the suggested wording to refer to “incompatible” activities rather than their adverse effects. However, I do not consider it necessary to refer to potential reverse sensitivity specifically. This is not needed to define the outcome of the objective and is straying into a level of specificity more appropriate in a policy.
- (763) I agree with the relief requested by the Fuel Companies (471.118). The definition of “regionally significant infrastructure” as notified, does not nest entirely within the “infrastructure” definition, whereby it is appropriate to identify both terms.

Recommendations

- (764) Accept in part the submission points of the Telecommunication Companies (311.78), NZTA (385.37), NZ Defence Force (404.10), Powerco (414.46), Clarus (474.44), and Transpower (504.45), and retain PINF-O1 subject to amendments as detailed below
- (765) Accept in part the submission points of KiwiRail (442.50), the Fuel Companies (471.118), and
- (766) Amend PINF-O1 as follows:
- PINF-O1 Adverse effects on regionally significant infrastructure and other infrastructure*
- ~~*The adverse effects of subdivision, use, and development do not compromise the operation and development of infrastructure.*~~
- The safety, maintenance, operation, upgrade or development of infrastructure and regionally significant infrastructure is not compromised by incompatible subdivision, land use or development.*

Section 32AA evaluation

- (767) I consider the amendment is reasonable as it improves alignment with RPS policy 8 to protect regionally significant infrastructure.

5.4.4.2 New objectives – transport corridors

Submission

- (768) KiwiRail (442.51a, 442.51b) seeks the inclusion of two new objectives as follows:

PINF-O2

Ensure adverse reverse sensitivity, health and wellbeing effects arising from the development of noise sensitive activities adjacent to the railway and highway network are appropriately avoided or mitigated.

PINF-O3

Protect communities and infrastructure by mitigating:

a. the adverse health and safety impacts associated with accessing the rail corridor; and

b. risk of disruptions to the safe and efficient operation of regionally significant rail infrastructure.

Assessment

- (769) I disagree with the requested inclusion of both of these proposed objectives. I do not consider they include clearly defined outcomes and read more as policies.
- (770) Provisions for controlling noise sensitive activities along the railway corridor and state highway corridor are located in the NOISE chapter. This includes objective NOISE-O2. Including the submitter's requested PINF-O2 would unnecessarily duplicate the provisions of the NOISE chapter.
- (771) The requested inclusion of PINF-O3 relates to the submitter's requested relief for a 5m setback from the rail corridor designation. I have discussed this issue in section 5.3.3 of this report.
- (772) I consider there is insufficient explanation of the extent to which there is a resource management issue which is not being sufficiently managed through the long-standing regulatory settings which have been carried over from the ODP into the PDP.

- (773) To date, there has been no assessment of the relative benefits and costs specific to Lower Hutt of implementing the submitter's requested relief, nor if doing so would be consistent with s77I of the RMA with respect to imposing a provisions which are less enabling than the MDRS (these issues are discussed in greater length in section 5.3.3 of this report).

Recommendation

- (774) Reject the submission points of KiwiRail (442.51a, 442.51b).

5.4.5 Policies

5.4.5.1 PINF-P1 Protecting regionally significant infrastructure

Submissions

- (775) NZTA (385.38), the NZ Defence Force (404.11), Powerco (414.47) and Clarus (474.45), support policy PINF-P1 and seek that it is retained as notified. These submission points are supported by Wellington Water (F36.114, F36.115, F36.116, F36.117).

- (776) The Telecommunications Companies (311.79) supports in part policy PINF-P1, and seeks the following amendment:

Regionally significant infrastructure is protected from incompatible new subdivision, use and development by:

...

6. Controlling buildings in close proximity to existing telecommunication antenna.

- (777) Wellington Electricity (415.5) support in part policy PINF-P1, and seek the policy is amended to include the following clause:

Enable development within or near infrastructure corridors where:

a. Safe separation distances are maintained in accordance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001);

b. Access to infrastructure assets for operation, inspection, maintenance and upgrades is retained;

c. Effects on the operation, resilience or integrity of the infrastructure can be avoided, remedied or mitigated through design, layout or built form; and

d. The infrastructure owner has been consulted and supports the development approach.

- (778) KiwiRail (442.52), supported by Wellington Regional Council (F38.65) and opposed by Transpower (F12.10), seek the following amendments to policy PINF-P1:

Regionally significant infrastructure is protected from incompatible new subdivision, use and development, including the potential for reverse sensitivity effects by:

1. Avoiding the location of activities sensitive to hazardous substance risk within a defined risk management overlay.

2. Avoiding activities sensitive to the National Grid, and controlling buildings, structures and earthworks within ~~a defined National Grid~~ Yard.

...

6. Managing access to the rail corridor and the national and regional road network.

7. Ensuring new development maintains the safe and efficient operation of railway level crossings for all road users and the rail corridor

8. Managing new activities and development through setbacks from existing electricity supply, gas supply and rail infrastructure

- (779) The Fuel Companies (471.119), opposed by Seaview Marina Ltd (F14.14), seek an amendment to clause 1 of policy PINF-P1 as follows:

1. Avoiding the location of activities sensitive to hazardous substance risk within the Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay ~~a defined risk management overlay~~.

Assessment

- (780) I disagree with the relief sought by the Telecommunication Companies (311.79) seeking an additional clause to PINF-PI referring to the control of buildings in relation to telecommunication facilities. This would be a hanging policy clause, as it is not implemented by any notified PDP provisions. The submitter has not suggested any supporting rules and standards which would implement their requested policy clause.
- (781) The submitter has requested increased height limits in the INF chapter for telecommunication poles, to address the compatibility with other buildings and structures. I consider enabling suitable heights for telecommunication poles or providing for the location of facilities atop buildings is the better approach to ensuring telecommunication facilities are effective.
- (782) With regards to the relief requested by Wellington Electricity (415.5), electrical safe distances are a matter regulated by WorkSafe. It is not clear what incompatible subdivision, use or development is sought to be regulated by the other sub-clauses in the relief requested by the submitter. The additional policy direction requested by the submitter is not implemented by rules or standards either in the PDP as notified or through other relief requested by the submitter.
- (783) I disagree with the relief requested by KiwiRail (442.52). I do not consider their proposed modification to the policy chapeau to be necessary, and they have not provided a clear explanation for the proposed modification to clause 2.
- (784) Clauses 1 and 2 should not be combined into a general clause as requested by KiwiRail. Again, I do not consider this policy to be a place for generalities, but it should identify specific approaches for protecting infrastructure from specific incompatible activities.
- (785) The clauses 6 and 8 proposed by KiwiRail relate to their request for 5m building setbacks from the rail corridor. I have discussed this issue in section 5.3.3 of this report. I consider there is insufficient explanation of the extent to which there is a resource management issue which is not being sufficiently managed through the long standing regulatory settings which have been carried over from the ODP into the PDP. Nor has the submitter

provided an assessment of the relative benefits and costs of implementing their requested relief.

- (786) I agree in part with the request of KiwiRail for the inclusion of a clause about ensuring the safe and efficient operation of railway level crossings. The Transport chapter includes provisions (generally supported by KiwiRail) requiring a minimum separation of 30m for vehicle crossings from railway level crossings. I support the inclusion of a clause in PINF-1 which references the approach taken in the Transport chapter, on the basis that PINF-1 coalesces the various approaches taken in the PDP to protect regionally significant infrastructure. I would recommend different wording than proposed by the submitter to better reflect the approach taken in the Transport chapter.
- (787) The suitability of the modification to PINF-P1.1 requested by the Fuel Companies, depends on whether related relief being considered through Hearing Stream #3 is to be accepted.

Recommendation

- (788) Accept in part the submission points of NZTA (385.38), the NZ Defence Force (404.11), Powerco (414.47) and Clarus (474.45), and retain PINF-P1 with amendments as shown below.
- (789) Reject the submission point of the Telecommunication Companies (311.79).
- (790) Reject the submission point of Wellington Electricity (415.5).
- (791) Reject the submission point of the Fuel Companies (471.119), however not this recommendation may be subject to outcomes of other hearing streams.
- (792) Accept in part the submission point of KiwiRail (442.52); and amend PINF-P1 as follows:

Regionally significant infrastructure is protected from incompatible new subdivision, use and development by:

...

6. Requiring new vehicle crossings to not be located in proximity to railway crossings.

Section 32AA evaluation

- (793) I do not consider there are additional costs related to this amendment as it refers to provisions already within the plan. It will provide clarity to plan users of how regionally significant infrastructure is protected to achieve PINF-O1 and align with Policy 8 of the RPS.

5.4.5.2 New policy – reverse sensitivity

Submission

- (794) The NZ Defence Force (404.12) seek the inclusion of a new policy:

PINF-PX Reverse sensitivity

Avoid incompatible activities that may affect or cause reverse sensitivity effects on the efficient operation, maintenance, repair, replacement, upgrading, renewal, or development of regionally significant infrastructure.

Assessment

- (795) I do not consider there is justification for broad policy direction for managing reverse sensitivity on infrastructure, beyond the existing policy direction in the PDP which is implemented through rules and standards which regulate specific potentially incompatible subdivision, use and development.

Recommendation

- (796) Reject the submission point of the NZ Defence Force (404.12).

5.4.5.3 New policies – transport corridors

Submission

- (797) KiwiRail (442.53, 442.54), supported by Wellington Regional Council (F38.66, F38.67), seek the inclusion of two new policies:

PINF-P4 Preventing adverse effects on Highway and Railway

Avoid reverse sensitivity effects on the ongoing and future operation and development of the railway network by ensuring new noise sensitive activities are designed or located to meet appropriate acoustic design standards.

Manage effects on the health and wellbeing of communities through the design and location of noise sensitive activities adjacent to the railway network to meet appropriate acoustic design standards.

PINF-P5 Preventing adverse effects on Railway Corridor

Require buildings and structures adjoining the rail designation to be setback to provide for the health and safety of adjacent communities and efficient infrastructure operation.

Assessment

- (798) The policies proposed by KiwiRail relate to their request for 5m building setbacks from the rail corridor. I have discussed this issue in section 5.3.3 of this report. I consider there is insufficient explanation of the extent to which there is a resource management issue which is not being sufficiently managed through the long standing regulatory settings which have been carried over from the ODP into the PDP.

Recommendation

- (799) Reject the submission points of KiwiRail (442.53, 442.54).

5.4.6 Rules

5.4.6.1 Rules introduction

Submissions

- (800) Transpower (504.47) seek that the rules introduction is retained as notified.
- (801) The Fuel Companies (471.120), opposed by Seaview Marina Ltd (F14.15), seek the following amendments to the rules introduction:

The chapter does not include the following:

...

Provisions controlling activities sensitive to hazardous substance risks within the Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay risk management overlay or within 250m of an existing significant hazardous facility (located in the Hazardous Substances chapter. ~~The facilities protected by these~~

~~provisions include gas and which contain provisions protecting existing significant hazardous facilities and associated~~ petroleum infrastructure),
or

...

Assessment

- (802) The suitability of the modification requested by the Fuel Companies, depends on whether related relief being considered through Hearing Stream #3 is to be accepted.

Recommendation

- (803) Accept the submission point of Transpower (504.47), and
- (804) Reject the submission point of the Fuel Companies (471.120), while noting this recommendation may be subject to outcomes of other hearing streams.

5.4.6.2 PINF-R2 Building and structures, including additions and alterations to existing buildings and structures, within the Gas Transmission Pipeline Corridor

Submissions

- (805) Clarus (474.48) seek that the rule is retained as notified.
- (806) Powerco (414.48) seeks that clause 1 of rule PINF-R2 is amended as follows

1. Activity status: Restricted discretionary

Where:

- a. *Located within the Gas Transmission Pipeline Corridor, ~~excluding gas distribution buildings and structures.~~*

Assessment

- (807) I agree with the intent of the relief requested by Powerco (414.48). I do not consider that buildings and structures which are part of a gas distribution network are not incompatible within the Gas Transmission Pipeline Corridor. However, I consider that this is better addressed through modifying the rule description. On a similar basis, I think the rule

description should also clarify the buildings and structures which form part of the gas transmission network are also excluded from the rule.

Recommendation

- (808) Accept in part the submission point of Clarus (474.48);
- (809) Accept in part the submission point of Powerco (414.48); and
- (810) Amend the rule description of PINF-R2 as follows:

PINF-R2 Building and structures, including additions and alterations to existing buildings and structures, within the Gas Transmission Pipeline Corridor, excluding buildings and structures which form part of the gas distribution and transmission networks

Sectio 32AA evaluation

- (811) I consider the amendment will support gas infrastructure activities which are appropriate in the gas transmission pipeline corridor. I do not consider there are any costs associated with this amendment.

5.4.6.3 PINF-R3 Activities in the National Grid Yard

Submission

- (812) Transpower (504.48) seeks that clause 2 of the rule is amended as follows:

2.Activity status: Non-complying

Where:

- a. Compliance is not achieved with PINF-R3.1, or*
- b. Any change in land use to an activity sensitive to the National Grid.*

Assessment

- (813) I disagree with the requested relief. I consider that it is clear the rule applies to both new activities and changes to existing activities. The modification will not change what is regulated by the rule, nor in my opinion, will improve plan useability. The relief is contrary to the convention of the plan which is to specify the conditions for permitted activities in the permitted arm of the rule.

Recommendation

(814) Reject the submission point of Transpower (504.48).

5.4.6.4 PINF-R4 Buildings and structures...in the National Grid Yard

Submission

(815) Transpower (504.49) seek to amend rule PINF-R4 as follows

1. Activity status: Permitted

Where:

a. The building or structure is for one of the following:

i. For the purpose of network utility operations (as defined in section 166 of the RMA) or any part of electricity generation that connects to the National Grid, or

...

2. Activity status: Non-complying

Where:

a. Compliance is not achieved with PINF-R4.1; or

b. Establishing activities sensitive to the National Grid in an existing building or a new building that involves an increase in the building height or footprint, or within a new building; or

c. Wintering barns, Commercial greenhouses, Immoveable protective canopies, Produce packing facilities, Milking sheds; or

d. Buildings or structures for the handling or storage of Class 1-4 hazardous substances with explosive or flammable intrinsic properties (except that this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities); or

e. Any building or structure not otherwise provided for

Assessment

(816) I don't consider it necessary to clarify the meaning of network utility operations in sub-clause 1(a)(i) or PINF-R4. The PDP includes a definition for

“network utility operator”, which after the definition states “network utility operation” has a corresponding meaning.

- (817) The additional sub-clauses requested by the submitter duplicate clauses from PINF-R3, and are contrary to the convention of the plan which is to specify the conditions for permitted activities in the permitted arm of the rule. The sub-clause 2(e) is redundant.

Recommendation

- (818) Reject the submission point of Transpower (504.49).

5.4.6.5 New rule – activities adjacent the rail corridor

Submission

- (819) KiwiRail (442.55), supported by Wellington Regional Council (F38.68), seek the inclusion of a new rule:

PINF-R5 Activities Adjacent the Rail Corridor

All zones

1. Activity Status: Permitted

Where:

a. Buildings and structures (including extensions) must be set back 5 meters from the rail designation boundary.

2. Activity Status: Restricted discretionary

Where:

a. Compliance is not achieved with PINF-R5.1

Matters of discretion are restricted to:

a. The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail designation boundary.

b. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance

c. The outcome of any consultation with KiwiRail.

Assessment

- (820) I have discussed the proposed requirement for 5 metre setbacks from the rail corridor in section 5.3.3 of this report. I consider there is insufficient explanation of the extent to which there is a resource management issue which is not being sufficiently managed through the long-standing regulatory settings which have been carried over from the ODP into the PDP.

Recommendation

- (821) Reject the submission point of KiwiRail (442.55).

5.4.7 Standards

5.4.7.1 PINF-S1 Setbacks and separation distances for buildings and structures located within the National Grid Yard

Submission

- (822) Transpower (504.50) seek to amend clause 3 of standard PINF-S1 as follows:

3.All other buildings and structures must be setback a minimum 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is:

i. is a network utility or any part of electricity infrastructure that connects to the National Grid; or

ii. a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34: 2001.

Assessment

- (823) I agree with the relief requested by Transpower (504.50), which will make the standard more enabling for appropriately compatible activities. I consider minor modification to refer to “network utility operation” is appropriate, to align with a defined term in the plan.

Recommendation

- (824) Accept the submission point of Transpower (504.50); and

(825) Amend PINF-S1.3 as follows:

3.All other buildings and structures must be setback a minimum 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is:

i. is a network utility operation or any part of electricity infrastructure that connects to the National Grid; or

ii. a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34: 2001.

(826) I consider the amendment will provide for infrastructure and other activities which are suitable within the National Grid Yard, and any associated costs are negligible.

5.4.8 Definitions

5.4.8.1 Activity sensitive to the National Grid

Submissions

(827) The Ministry of Education (399.6) and Winstone Aggregates (444.7) support the definition and seek that it is retained as notified.

(828) Transpower (504.2) seek to amend clause 4 of the definition as follows:

means a:

...

4. marae /papakāinga, or

....

Assessment

(829) I agree with the requested relief. The PDP includes a definition and provisions for papakāinga. I consider that similar to a marae or other activities listed in the definition, that papakāinga would be an activity sensitive to the National Grid.

Recommendation

(830) Accept in part the submission points of the Ministry of Education (399.6) and Winstone Aggregates (444.7);

- (831) Accept the submission point of Transpower (504.2); and
- (832) Amend the definition of “Activity sensitive to the National Grid” as follows:

means a:

...

4. marae ~~/~~papakāinga, or

....

5.4.8.2 National Grid Subdivision Corridor

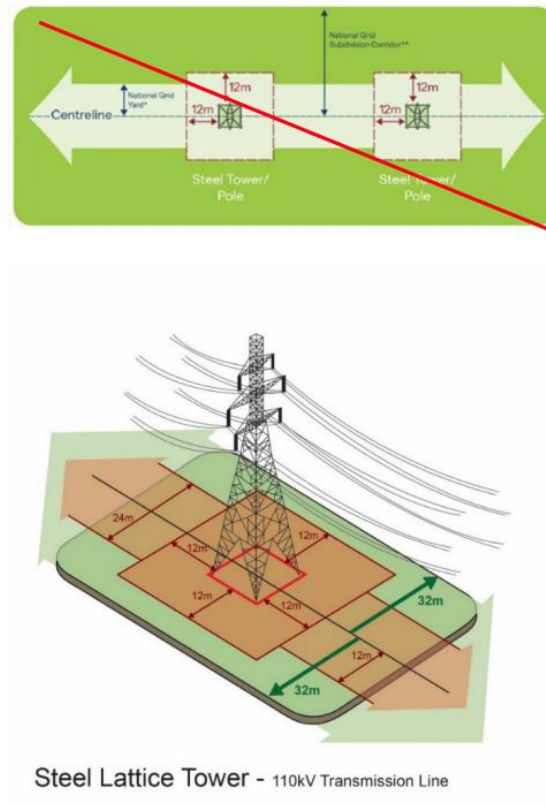
Submissions

- (833) Transpower (504.7) seeks to amend the text and replace the figure included in the definition as follows:

means , as depicted ~~in Diagram 1~~ by the green arrow in the diagrams below, the area measured either side of the centre line of any above ground electricity transmission line as follows:

- a. 32m of a 110kV transmission line on towers; ~~and~~
- b. 37m of a 220kV transmission line; and
- c.39m of a 350kV transmission line.

....



Assessment

- (834) I accept the advice from Transpower regarding there being a 350kV transmission line in Lower Hutt, and there needing to be an additional buffer of protection from this line.

Recommendation

- (835) Accept the submission point of Transpower (504.7) and amend the definition for the National Grid Subdivision Corridor Yard as detailed above.

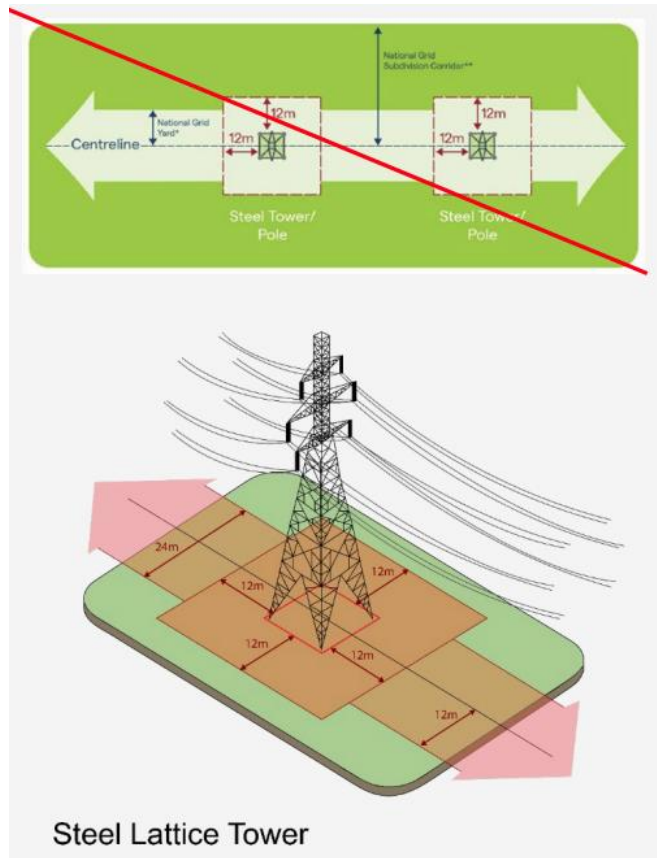
5.4.8.3 National Grid Yard

Submissions

- (836) Transpower (504.8) seeks to amend the text and replace the figure included in the definition as follows:

means as depicted in the area in orange in Diagram 1:

...



Assessment

- (837) The submitter has provided an updated diagram to represent the National Grid Subdivision Yard and National Grid Yard. I agree that the modification to the wording will better align with this diagram.

Recommendation

- (838) Accept the submission point of Transpower (504.8) and amend the definition for the National Grid Yard as detailed above.

5.4.8.4 Regionally significant infrastructure

Submissions

- (839) The Telecommunication Companies (311.10), opposed by Health NZ (F37.8), and Powerco (414.5), Clarus (474.6) and Transpower (504.9), support the definition and seek that it is retained as notified.
- (840) Enviro NZ (323.15), supported in part by Waste Management NZ (F39.3), seek the addition of a clause to the definition as follows:

means regionally significant infrastructure including:

...

j. The Silverstream landfill and regional resource recovery facilities.

- (841) Waste Management NZ (461.9), opposed by the Manor Park Residents (F10.36), seek the addition of clauses to the definition as follows:

means regionally significant infrastructure including:

...

h. the local authority wastewater and stormwater networks and systems, including treatment plants and storage and discharge facilities, ~~and~~

i. the Strategic Transport Network as identified in the Wellington Regional Land Transport Plan 2021.

j. landfills, cleanfills and managed fills; and

k. waste management facilities.

- (842) NZTA (385.16) seeks to amend clause (i) of the definition as follows:

means regionally significant infrastructure including:

...

i. the Strategic Transport Network as identified in the Regional Policy Statement, Regional Plan, or ~~Wellington~~ Regional Land Transport Plan ~~2021~~.

- (843) The NZ Defence Force (404.5), supported in part by Health NZ (F37.11), seeks the addition of a clause to the definition as follows:

...

k. defence facilities

- (844) KiwiRail (442.17) seeks amendments to the definition as follows:

means regionally significant infrastructure including:

...

i. the Strategic Transport Network, including rail corridors, core bus routes, strategic roads and regional cycling network, as identified in the Wellington Regional Land Transport Plan 2021.

j. Interisland Ferry Terminal, Wellington City bus terminal and Wellington Railway Station terminus

k. Wellington International Airport

l. Masterton Hood Aerodrome

m. Paraparaumu Airport

n. Commercial Port Areas within Wellington Harbour and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines

- (845) The Fuel Companies (471.74), supported by Wellington Regional Council (F38.79), seeks the addition of a clause to the definition as follows:

means regionally significant infrastructure including:

...

j. Infrastructure associated with port related activities and adjacent land used in association with the movement of cargo and passengers including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.

- (846) Health NZ (518.6) seeks that the definition is amended to include the Hutt Hospital.

Assessment

- (847) The notified definition of “regionally significant infrastructure” is intended to align with the definition in the Wellington RPS.
- (848) On this basis, I agree with the relief requested by the Fuel Companies (471.74) and supported by Wellington Regional Council (F38.79), on the basis that it improves the alignment between the PDP and RPS.
- (849) Similarly, I agree in part with the relief requested by Enviro NZ (323.15) and Waste Management NZ (461.9, F39.3). However, I consider broadly identifying all landfills or waste disposal facilities in the definition would not be consistent with the RPS definition which specifically identifies Silverstream landfill (in Lower Hutt).
- (850) Both NZTA (385.16) and KiwiRail (442.17) have requested modification to sub-clause (i) of the definition which describes the strategic transport

network. I agree with the modification to this sub-clause proposed by KiwiRail. In the RPS, “strategic transport network” is a defined term. The modification proposed by KiwiRail pulls through the relevant parts of this definition (to the extent relevant to Lower Hutt) to sub-clause (i), which I consider supports plan useability. I don’t agree with the modification proposed by NZTA, as referring to regional policy statements or plans generally, would mean the meaning of the definition can be altered through changes to third-party documents.

- (851) I don’t agree with the modification proposed by KiwiRail (442.17) to include other sub-clauses which identify facilities in the wider region. I agree that this alteration would more closely align the definition to the RPS, however I consider the key cross-boundary transport linkages are captured within sub-clause (i). The inclusion of additional transport facilities outside of Lower Hutt are of little relevance to the “regionally significant infrastructure” definition, in terms of how the term is used in the PDP.
- (852) With respect to the request of the NZ Defence Force (404.5) to include “defence facilities” in the definition, Lower Hutt does not have any defence facilities, and I disagree with the broad identification of any defence facilities as regionally significant. No defence facilities are identified within the RPS definition.
- (853) While I do not disagree with the regional significance of Hutt Hospital (Health NZ, 518.6), it is not identified in the RPS definition as regionally significant infrastructure.
- (854) In addition to the matters raised by submitters, I consider that the chapeau of the definition needs to be modified to remove a circular reference.

Recommendation

- (855) Reject the submission point of NZTA (385.16),
- (856) Reject the submission point of the NZ Defence Force (404.5),
- (857) Reject the submission point of (Health NZ, 518.6),
- (858) Accept the submission point of the Fuel Companies (471.74),
- (859) Accept in part the submission points of Telecommunication Companies (311.10), opposed by Health NZ (F37.8), and Powerco (414.5), Clarus (474.6) and Transpower (504.9),

- (860) Accept in part the submission points of Enviro NZ (323.15) and Waste Management NZ (461.9, F39.3),
- (861) Accept in part of KiwiRail (442.17), and
- (862) Amend the definition of “regionally significant infrastructure” as follows:
- means regionally significant infrastructure including:*
- a. *pipelines for the distribution or transmission of natural or manufactured gas or petroleum, including any associated fittings, appurtenances, fixtures or equipment,*
 - ...
 - h. *the local authority wastewater and stormwater networks and systems, including treatment plants and storage and discharge facilities, ~~and~~*
 - i. *the Strategic Transport Network, including rail corridors, core bus routes, strategic roads and regional cycling network, as identified in the Wellington Regional Land Transport Plan 2021,*
 - j. *Silverstream Landfill, and*
 - k. *Infrastructure associated with port related activities and adjacent land used in association with the movement of cargo and passengers including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.*

5.4.8.5 Section 32AA evaluation

- (863) I have recommended amendments to definitions for:
- ‘Activity sensitive to the National Grid’
 - ‘National Grid Subdivision Corridor’
 - ‘National Grid Yard’
 - ‘Regionally significant infrastructure’
- (864) There will be some additional costs of restriction or regulation of papakāinga activities if located in the National Grid Subdivision Corridor or National Grid Yard. However, there will be safety benefits of additional regulation of these activities and benefits of protection to the National Grid.
- (865) There will be additional costs associated with an enlarged National Grid Subdivision Corridor. However, these will be limited to where the higher

voltage 350kV line is located, and will be only an additional 2m either side. There will be benefits of safety and protection of the National Grid.

- (866) Other changes to the definitions of National Grid Subdivision Corridor and National Grid Yard will assist in their interpretation.
- (867) The changes to the definition of regionally significant infrastructure will improve alignment with the RPS.

5.4.9 Mapping

Submission

- (868) Transpower (504.100a, 504.100b, 504.100c) seek the deletion of the informational map layers for the National Grid Yard and National Grid Subdivision Corridor, and their replacement by a new informational layer which shows the centre-line only of transmission lines and coloured to be more clearly visible when layered over aerial photography.
- (869) Clarus (474.76) seek that the word “informational” is not associated with the Gas Transmission Pipeline Corridor as it appears in the plan mapping.

Assessment

- (870) Submissions on informational map layers are not within the scope of the PDP hearings. However, for the sake of completeness I have included a brief assessment and recommendation.
- (871) The map layers for the National Grid Yard, the National Grid Subdivision Corridor and the Gas Transmission Pipeline Corridor, are informational as their extents are defined by the definitions within the PDP, rather the mapping. They cannot be defined by both, lest the mapping prove inaccurate.
- (872) The informational layers, support plan useability as they alert properties owners of other plan users to the presence of National Grid Yard and National Grid Subdivision Corridor, where specific provisions of the PDP apply. In particular, the informational layers assist with the return of search results which display relevant overlays and provisions for properties. There is the opportunity to explore utilising higher contrast colours so that the layers appear more visible.

Recommendation

- (873) Reject the submission points of Transpower (504.100a, 504.100b, 504.100c).
- (874) Reject the submission point of Clarus (474.76).

6 Conclusion

- (875) This report has provided an assessment of submissions received in relation to Hearing Stream 6 for Infrastructure, Protection of Infrastructure, and strategic directions INFSD-O1 to INFSD-Of and UDSD-O4.
- (876) Sections 3, 4 and 5 assess and provide recommendations on the decisions required in submissions. I consider that the submissions should be accepted, accepted in part, or rejected, as set out in my recommendations of this report and in Appendix 3.
- (877) I recommend that the provisions be amended as set out in Appendix 2 for the reasons set out in this report.

Section 32AA Evaluations

- (878) I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the individual Section 32AA evaluations undertaken in this report.
- (879) For minor corrections and minor changes, or for changes that are largely administrative in nature and are to improve the readability and the implementation of the plan, I have not made individual section 32AA assessments as I consider that the section 32 evaluation made by the Council continues to apply.

7 Appendices

Appendix 1: PDP exemption – removed provisions and affected submissions

Appendix 2: Recommended amendments to the Proposed District Plan

Appendix 3: Recommended decisions on Infrastructure and Protection of Infrastructure

Appendix 4: Traffic engineering evidence of Mr Luke Benner

Appendix 1: PDP exemption – removed provisions and affected submissions

Ref #	Provision	Withdrawn topic	Subs#
INF-P5.4	Avoid, remedy, or mitigate the adverse effects of infrastructure, as far as practicable, including effects on: ... 4. Identified features and values within any specified overlay,	Specified overlay*	503.28b
INF-P6.6	When considering the adverse effects of infrastructure on the environment, have regard to the following: ... 6. Where located in a specified overlay, the degree to which the identified features and values of locations in the overlay, or site or area of significance will be protected from adverse effects and preserved, including with consideration to whether adverse effects on these values and features are avoided due to being: a. No more than minor or transitory, or b. Remedied, mitigated or offset.	Specified overlay*	405.13a (F36.50), 405.13b (F36.51)
INF-P8.1	Provide for upgrading and developing of the National Grid, while: 1. Avoiding adverse effects on: a. The City Centre Zone, b. Existing activities sensitive to the National Grid where located within urban areas, c. The identified values of Outstanding Natural Features, and d. The identified values of Outstanding Coastal Natural Character Areas.	Natural Environment Values – Natural Features and Landscapes	
INF-P8.2	Provide for upgrading and developing of the National Grid, while: ...	Natural Environment Values –	

	2. Seeking to avoid adverse effects on: a. Existing activities sensitive to the National Grid where located within rural environments, b. The identified values of Outstanding Natural Landscapes, and c. The identified values of High and Very High Coastal Natural Character Areas.	Natural Landscapes Coastal Environment – Coastal Natural Character	
INF-P10	INF-P10 Upgrading and developing infrastructure in coastal and riparian margins [entire policy deleted]	Natural Environmental Values – Natural Character	311.36, 405.15 (F31.1), 414.18, 442.38 (F36.55), 471.103 (F36.56), 504.32a, 504.32b, 504.32c
INF-P11	INF-P11 Upgrading and developing infrastructure in coastal natural character areas [entire policy deleted]	Coastal Environment – Coastal Natural Character	311.37, 405.16 (F36.58), (F36.57), 414.19 (F36.59), 422.6 (F38.42), 504.33
INF-P12	INF-P12 Upgrading and developing infrastructure in Outstanding Natural Features and Outstanding Natural Landscapes [entire policy deleted]	Natural Environment Values – Natural Features and Landscapes	311.38 (F37.60), 414.20 (F36.61), 422.7 (F38.43), 504.34
INF-P13	Upgrading and developing infrastructure in sites and areas of significance to Māori, heritage areas and sites containing heritage buildings or heritage structures	Historical and Cultural Values – Historical Heritage, Sites and Areas of Significance to Māori	248.22 (F36.63), 311.39 (F37.64, F42.4), 414.21 (F36.65), 471.104

			(F36.66), 503.28c (F36.62), 504.35a, 504.35b, 517.14
Rules intro	Operating, maintaining, repairing, upgrading, developing and decommissioning of infrastructure is excluded from all provisions in area-specific and other district-wide chapter, except for: a. Provisions for infrastructure activities which involve additions, alterations, relocation, or demolition of heritage buildings, heritage structures, or contributing buildings in heritage areas (located in the Historical Heritage chapter), b. Provisions for infrastructure activities which involve trimming or removal of Notable Trees (located in the Notable Trees chapter), c. Provisions for the removal of indigenous vegetation in the Natural Open Space Zone and residential zones (located in the Ecosystems and Indigenous Biodiversity chapter), d. Provisions for Noise, including for infrastructure activities (located in the Noise chapter), and e. Provisions for the Protection of Infrastructure, including from other infrastructure activities (located in the Protection of Infrastructure chapter).	Clauses refer to removed chapters	405.20 (F12.8, F31.5), 452.32 (F31.6, F36.87)
Rules intro	How to use the rule tables a. Identify the zone which applies to the area of activity, and whether any overlays are applicable.	No longer applicable to reformatted table	

	b. Refer to the rows in the relevant table to find a description of the activity you want to carry out. For some activities, multiple rules will apply. c. The standards which are applicable for each activity are identified within the table. d. The columns to the right of the table identify the activity status which applies to the activity, including whether or not the activity meets the standard and whether or not is located in an overlay. e. If more than one rule applies to an activity, or more than one overlay is applicable, then the higher activity status applies. f. For restricted discretionary activities, matters of discretion are identified below the table.		
INF-R1 to INF-R25	Remove the following columns from rules table: • Heritage area or site containing heritage building or heritage structure • Category 1 SASM • High Natural Hazard Overlay • Outstanding Natural Feature – Outside Coastal Environment • Outstanding Natural Landscape – Outside Coastal Environment • Outstanding Natural Feature – Inside Coastal Environment • Outstanding Natural Landscape – Inside Coastal Environment • High and Very High Coastal Natural Character Area • Outstanding Coastal Natural Character Area	Multiple	311.45, 311.46 (F36.73), 311.47 (F36.74), 311.48, 311.50 (F36.82), 311.51b, 311.55 (F36.83), 504.37b, 504.41
Rules	Assessment matters for Restricted Discretionary Activities ...	Multiple	

	8. For infrastructure (other than National Grid infrastructure) located within a Outstanding, Very High, or High Coastal Natural Character Area, Outstanding Natural Feature, or Outstanding Natural Landscape, effects on the features or values identified and described in SCHED4 and SCHED5. ... 10. For infrastructure located within a heritage area, a site containing a heritage building or heritage structure, or a site or area of significance to Māori, effects on the particular heritage and/or cultural values of that site, area, item and/or feature.		
INF-S5.3	3. The cabinet must not be located within a riparian margin or coastal margin, except where located on a bridge or other structure.	Natural Environmental Values – Natural Character	
INF-S8.1	1. The support structure must not be located within a riparian margin or coastal margin, except where located on a bridge or other structure or within the road reserve.	Natural Environmental Values – Natural Character	
INF-S13.5-6	Outstanding Coastal Natural Character Area 5. Where located on a site, all signs must not exceed a combined area of 1m2. 6. Where located within road reserve, all signs within a 100m distance must not exceed a combined area of 1m2.	Coastal Environment – Coastal Natural Character	
INF-S13.7-8	Outstanding Natural Features 7. Where located on a site, all signs must not exceed a combined area of 1m2. 8. Where located within road reserve, all signs within a 100m distance must not exceed a combined area of 1m2.	Natural Environmental Values – Natural Features	
INF-S13.9-10	Outstanding Natural Landscapes	Natural Environmental	

	9. Where located on a site within the Coastal Environment, all signs must not exceed a combined area of 1m². 10. Where located within road reserve within the Coastal Environment, all signs, all signs within a 100m distance must not exceed a combined area of 1m².	Values – Natural Landscapes	
INF-S14.3-4	High and Very High Coastal Natural Character 3. Must not exceed a maximum height of 5m above ground level. 4. Must not exceed 50m² in area.	Coastal Environment – Coastal Natural Character	
INF-S14.5-7	Outstanding Natural Feature 5. Must not exceed a maximum height of 5m above ground level. 6. Must not exceed 50m² in area. 7. The highest point of the building or structure must be below the ridgeline when measured horizontally from the ridgeline.	Natural Environmental Values – Natural Features	
INF-S14.8	Outstanding Natural Landscape 8. Where located within the Coastal Environment: a. Must not exceed a maximum height of 5m above ground level. b. Must not exceed 50m² in area. c. The highest point of the building or structure must be below the ridgeline when measured horizontally from the ridgeline.	Natural Environmental Values – Natural Landscapes	
INF-S16.6	Outstanding Natural Features Outstanding Natural Landscapes 6. Where located within the Coastal Environment, earthworks cut or fill depth (measured vertically) must not exceed 1.0m.	Natural Environmental Values – Natural Features and Landscapes	
INF-S16.7	Outstanding Coastal Natural Character 7. Earthworks cut or fill depth (measured vertically) must not exceed 0.5m.	Coastal Environment – Coastal	

		Natural Character	
INF-S16.8	Coastal margins Riparian margins 8. Earthworks cut or fill depth (measured vertically) must not exceed 0.5m.	Natural Environmental Values – Natural Character	
INF-S16	All zones Matters of discretion ... 7. The effect of the earthworks on the identified coastal natural character values in the area. ... 10. The effect of earthworks on the natural character of the coastal or riparian margin.	Coastal Environment – Coastal Natural Character Natural Environmental Values – Natural Character	
INF-S17.4	Coastal margins Riparian margins 4. The total area of earthworks must not exceed 25m2 in any 12-month period.	Natural Environmental Values – Natural Character	
INF-S17.5	Outstanding Natural Landscapes 5. The total area of earthworks in any 12-month period must not exceed: a. 100m2 where located in the coastal environment b. 200m2 where not located in the coastal environment	Natural Environmental Values – Natural Landscapes	
INF-S17.6	Outstanding Natural Landscapes 6. The total area of earthworks in any 12-month period must not exceed: a. 50m2 where located in the coastal environment b. 100m2 where not located in the coastal environment	Natural Environmental Values – Natural Features	
INF-S17.7	High and Very High Coastal Natural Character 7. The total area of earthworks must not exceed 100m2 in any 12-month period.	Coastal Environment – Coastal Natural Character	

INF-S17.8	Outstanding Coastal Natural Character 8. The total area of earthworks must not exceed 50m2 in any 12-month period.	Coastal Environment – Coastal Natural Character	
INF-S19	INF-S19 Earthworks – In relation to Sites and Areas of Significance to Māori [entire standard deleted]	Historical and Cultural Values – Sites and Areas of Significance to Māori	311.76 (F42.5), 414.45, 415.8, 471.116 (F36.93), 503.28d, 517.28
INF-S20	INF-S20 Removal of indigenous vegetation [entire standard deleted]	Natural Environment Values – Natural Features and Landscapes Coastal Environment – Coastal Natural Character	311.77, 374.26, 442.49, 474.41, 517.29

Appendix 2: Recommended amendments to the Proposed District Plan

SD — Strategic Direction

Infrastructure, additional infrastructure and mineral resources

INFSD-O1	Integration
Land use and development is integrated with the provision of infrastructure <u>and additional infrastructure, including transport and three waters services, and open space.</u>	
INFSD-O2	Coordination
The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of <u>necessary transport and other infrastructure and additional infrastructure.</u>	
INFSD-O3	<u>Regionally significant infrastructure National and Regional Significance</u>
<u>Regionally Significant</u> Infrastructure <u>of national and regional significance</u> is supported and protected.	
INFSD-O4	Multi-Modal Land Transport Network
A multi-modal land transport network, including connections between rail, road and sea transport networks, operates safely and efficiently.	
INFSD-O5	Accessibility
Urban environments and transport networks are integrated to: • Enable people to access opportunities, including employment and education, by a range of transport modes, and • Support an increase in active and public transport use.	
INFSD-O6	Water Sensitive Design
New development integrates water sensitive design to improve freshwater quality and avoid or mitigate the risks of flooding.	
INFSD-O7	<u>Mineral resources and quarrying activities</u>
<u>The city's mineral resources are protected from incompatible activities, and the benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.</u>	
INFSD-O8	<u>Electricity Networks</u>
<u>The national significance of the electricity transmission network and electricity distribution network is recognised, and sustainable, secure and efficient electricity is provided through and within the city.</u>	

Commented [PM1]: The Ministry of Education (399.12)

Commented [PM2]: The Telecommunications Companies (311.17)

Commented [PM3]: The Telecommunications Companies (311.18)

Commented [PM4]: Enviro NZ (323.20) and the Ministry of Education (399.13)

Commented [PM5]: The Telecommunications Companies (311.19)

Commented [PM6]: Horokiwi Quarries (246.7b) and Winstone Aggregates (444.9)

Commented [PM7]: Transpower (504.15)

Urban Form and Development

UDSD-O4	Location of Urban Development
Urban development takes place within areas identified for this purpose in a manner which uses land, and infrastructure <u>and additional infrastructure</u> most efficiently.	

Commented [PM8]: Ministry of Education (399.19

INF — Infrastructure

This chapter outlines the provisions of the District Plan that relate to the operation and development of infrastructure. Infrastructure enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, and their health and safety. The infrastructure managed through this chapter include those defined as infrastructure under section 2 of the Resource Management Act.

The successful functioning of the city depends on infrastructure. It is important that construction, maintenance, upgrade and operation of these services be provided for, that technical and geographical constraints on the operation of networks are acknowledged, and that the benefits derived from them are recognised. However, infrastructure can also have adverse effects on the environment resulting from their construction, operation or associated maintenance activities.

Role of Wellington Regional Council

Wellington Regional Council also plays a role in providing for infrastructure and managing the potential effects of infrastructure. In particular, through its regional planning documents, the Regional Council manages:

- Activities in the Coastal Marine Area,
- Activities in the beds of lakes and rivers,
- Potential impacts on the quality of water in water bodies and coastal water,
- Potential impacts on aquatic ecosystems, and
- Discharges to air.

As a result, activities associated with infrastructure will also need to comply with the rules of the Regional Council's planning documents (or be otherwise authorised, be it through a resource consent, national environmental standard, or another mechanism).

Other regulatory requirements

Additional regulatory requirements, which are separate to the District Plan or Regional Council planning documents, but are relevant to infrastructure include:

- The Resource Management (National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Regulations 2009 (NESETA),
- The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF),
- The National Code of Practice for Utility Operators' Access to Transport Corridors,
- The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), and
- Electricity (Hazards from Trees) Regulations 2003.

Commented [PM9]: Telecommunication Companies (311.22) and Transpower (504.20)

Relationship with other chapters

The Infrastructure chapter includes provisions for operating, maintaining, repairing, developing, upgrading and decommissioning infrastructure. These infrastructure activities are excluded from most rules in other chapters of the District Plan (details on which other rules apply to infrastructure are given at the beginning of the rules section of this chapter). ~~The provisions of the INF chapter should be read in conjunction with the objectives of other district-wide chapters, where relevant. The objectives of zone chapters are only relevant where specified within a provision of the INF chapter however objectives and policies in other chapters may be relevant.~~

Commented [PM10]: Telecommunication Companies (311.23) and Transpower (504.21)

The Infrastructure chapter does not include provisions which address the following:

- ~~Green infrastructure and additional infrastructure (except those components which are part of a stormwater network).~~
- ~~F~~-flood mitigation works (Natural Hazards chapter),
- Hard engineering coastal hazard mitigation works (Coastal ~~Environment Hazards~~ chapter),
- Vehicle crossings (Transport chapter),
- Subdivision which creates allotments for infrastructure purposes (Subdivision chapter), and
- Protection of infrastructure from adverse effects of land use and development, including:
 - Protection of gas transmission infrastructure and the National Grid from activities and buildings and structures (Protection of Infrastructure chapter),
 - Earthworks within the National Grid Yard (Earthworks chapter),
 - Subdivision within the Gas Transmission Pipeline Corridor and the National Grid Subdivision Corridor (Subdivision chapter), and
 - Activities sensitive to noise within the Highway and Railway Noise Overlay (Noise chapter).

Commented [PM11]: Enviro NZ (323.23a, 323.23b) and WRC (452.31)

Commented [PM12]: Minor correction

Objectives

INF-O1	Benefits of infrastructure
The national, regional and local benefits of infrastructure are recognised and provided for.	
INF-O2	Adverse effects of infrastructure
The adverse effects of infrastructure on the environment are effectively managed while recognising the functional needs and operational needs of infrastructure.	
INF-O3	Infrastructure availability and capacity
Enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of, subdivision, use, and development.	
INF-O4	Transport network
Ensure the transport network is safe, accessible and connected, and provides for all transport modes and users to move efficiently within and beyond Lower Hutt, while being	

integrated with land use, development and contributing to the planned outcomes for zones and precincts.

Policies

INF-P1	Recognise benefits of infrastructure
Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including: 1. Enabling enhancement of the quality of life and standard of living for people and communities, 2. Providing for <u>public the health and safety and resilience of people and communities</u>, 3. Enabling businesses to function, 4. Enabling growth, <u>access</u> and development, 5. Enabling the transportation of freight, goods and people, 6. Providing a lifeline during emergencies, <u>and</u> 7. Enabling the effective, safe, secure and efficient transmission of electricity, <u>and</u> 8. <u>Improving the quality of water, air or soil, and ecosystem health, resilience and indigenous biodiversity, where natural or semi-natural features or processes are incorporated into stormwater networks.</u>	
INF-P2	Provide for infrastructure
Provide for infrastructure by: • Enabling safe, resilient, effective, and efficient operation, maintenance, repair, minor upgrade, or decommissioning of infrastructure, • Providing for other upgrades to, and the development of new infrastructure, and • Enabling investigation and monitoring activities associated with infrastructure operations.	
INF-P3	Planning and delivery of infrastructure
Ensure that infrastructure planning and delivery is coordinated and responsive by: 1. Ensuring development of infrastructure is integrated with other land use, subdivision, development, and urban growth. 2. Enabling infrastructure to be delivered at a rate which is responsive to the reasonably foreseeable needs of Lower Hutt, including with consideration to population growth. 3. Ensuring that infrastructure is resilient or adaptable to impacts of natural hazards and climate change. 4. Ensuring that infrastructure is able to adapt to changing user requirements and technologies. 5. Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors. 6. Ensuring the provision and operation of infrastructure that cross jurisdictional boundaries is managed in an integrated manner.	
INF-P4	Technological advances
Provide flexibility to adopt new technologies for infrastructure that: 1. Allow for the re-use of redundant services and structures, or 2. Increase resilience, safety, efficiency or reliability of networks and services, or 3. Facilitate a transition to renewable electricity <u>and other energy sources which are renewable and have low emissions</u>, or 4. Result in environmental benefits or enhancements, or	

Commented [PM13]: Wellington Water (422.3)

Commented [PM14]: WRC (452.35)

Commented [PM15]: WRC (452.35)

Commented [PM16]: Clarus (474.19)

5.	Promote environmentally sustainable outcomes.
INF-P5	Adverse effects of infrastructure
Avoid, remedy, or mitigate the adverse effects of infrastructure, as far as practicable, including effects on: 1. Natural and physical resources, 2. Amenity values, 3. Natural hazard and climate change risks, 4. [to be removed due to plan stop requirements] 5. Any other matter of national importance, 6. The safe and efficient operation of other infrastructure, and 7. The health, well-being and safety of people and communities.	
INF-P6	Consideration of the adverse effects of infrastructure
When considering the adverse effects of infrastructure on the environment, have regard to the following: 1. The time, duration and frequency of adverse effects, 2. Whether it is practicable to reduce adverse effects through the Recognising that co-location of infrastructure, shared use of infrastructure corridors or and undergrounding of infrastructure provide opportunities for avoiding and minimising adverse effects, 3. Whether Where adverse effects cannot be avoided due to the functional needs and operational needs of the infrastructure to be in that location, 4. then the extent to which those adverse effects that cannot be avoided are minimised by the infrastructure design or operation, 5. Where adverse effects cannot be avoided or minimised, then the extent to which those adverse effects can be remedied, mitigated or offset, and 6. Anticipated outcomes for the receiving environment and the degree to which past modifications have compromised the achievement of those outcomes, and 7. [to be removed due to plan stop requirements]	
INF-P7	Upgrading and developing the transport network
Provide for upgrading and developing the transport network where, as far as practicable, it: 1. Supports the growth of active and public transport modes, 2. Maintains or improves Does not compromise the safety, efficiency, and resilience of the transport network, 3. Improves connectivity for and integration between all transport modes, including by: a. Providing and enhancing active transport connections to existing active transport and public transport networks, b. Allocating adequate space in the road corridor for walking, cycling, public transport infrastructure, streetlighting and street trees as well as vehicles and on-street parking (where appropriate), and c. Avoiding permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints. 4. Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located. Note: This policy is to be read in conjunction with objectives in the relevant zone chapters which describe the planned character and planned urban built environment, or purpose and character, of the relevant zone or precinct.	

Commented [PM17]: Powerco (414.15), KiwiRail (442.35) and Transpower (504.29)

Commented [PM18]: KiwiRail (442.35)

Commented [PM19]: KiwiRail (442.36)

Commented [PM20]: WRC (452.39)

Commented [PM21]: (Consequential amendment) - Telecommunication Companies (311.23) and Transpower (504.21)

INF-P8	Upgrading (other than minor upgrading) and developing the National Grid
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Commented [PM22]: Transpower (504.1, 504.30)

Provide for upgrading ~~(other than minor upgrading)~~ and developing of the National Grid, while:

1. ~~To the extent practicable~~ Avoiding adverse effects on:
 - a. ~~Avoiding adverse effects on~~ ~~The City Centre Zone,~~ and e Existing activities sensitive to the National Grid where located within urban areas,
 - b. ~~[to be removed due to plan stop requirements]~~
 - c. ~~[to be removed due to plan stop requirements]~~
- 2- b. Seeking to avoid adverse effects on:
 - a. existing activities sensitive to the National Grid where located within rural environments,
 - b. ~~[to be removed due to plan stop requirements]~~
 - c. ~~[to be removed due to plan stop requirements]~~
- 3- c. Minimising adverse effects on urban amenity where located within urban areas,
- 4- d. Remedying or mitigating, ~~to the extent practicable,~~ any adverse effects which cannot be avoided or minimised, and
- 2- 5. Having regard to the following matters while considering any adverse effects:
 - a. ~~Enabling upgrades which have minor adverse effects on the environment,~~
 - ab. ~~Except where clause 4 of this policy applies, considering~~ The constraints arising from the operational needs, functional needs, and technical requirements of the National Grid, on the ability to avoid, remedy of mitigate adverse effects,
 - b e. Whether any adverse effects have been avoided, remedied or mitigated by the route, site and method selection, and
 - c d. Opportunities provided by any substantial upgrades to reduce existing adverse effects of the National Grid, including on activities sensitive to the National Grid.

Note:

Upgrading and developing the National Grid is excluded from [removed] INF-P14: New or upgraded infrastructure in the Active Street Frontage Overlay.

But must be read in conjunction with the other relevant policies in this chapter.

INF-P9	Upgrading and developing infrastructure in natural hazard overlays
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Provide for new or upgraded infrastructure in natural hazard overlays where:

1. There is a functional need or operational need for the infrastructure to be in that location,
2. Related buildings, structures or earthworks ~~are of a scale and design that do not significantly increase natural hazard risk in the~~ High Flood Hazard Overlays and Medium Flood Hazard Overlays ~~do not impede the conveyancing of floodwaters or cause floodwaters to be diverted to adjacent properties,~~ and
3. Increases in natural hazard risk ~~to people and property, other than activities least sensitive to natural hazards,~~ in identified high natural hazard overlays are avoided.

Commented [PM23]: Wellington Water (422.5) and KiwiRail (442.37)

INF-P10 to INF-P13 ~~[to be removed due to plan stop requirements]~~

INF-P14	Upgrading and developing infrastructure in the Active Street Frontage Overlay
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Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where:

1. There is a functional need or operational need for the infrastructure to be in that location,

2. Significant adverse effects on pedestrian amenity, comfort and safety, and visual amenity are avoided,
3. Other adverse effects are avoided, remedied, or mitigated, and
4. It is consistent with the urban design outcomes for pedestrian environments and the Active Street Frontage Overlay for the zone or precinct in which it is located.

Notes:

This policy does not apply to upgrading and developing the National Grid, which is covered by Policy INF-P8.

This policy is to be read in conjunction with objectives and policies in the relevant zone chapters which describe the outcomes sought for pedestrian environments and the Active Street Frontage Overlay.

Commented [PM24]: Powerco (414.22)

Commented [PM25]: (Consequential amendment) - Telecommunication Companies (311.23) and Transpower (504.21)

Rules

The rules of this chapter address the operation, maintenance, repair, removal, upgrading, and development and decommissioning of infrastructure undertaken by network utility operators.

The rules of this chapter address:

- General activities (INF-R1 to INF-R10), including:
 - Infrastructure involving radiofrequency fields (INF-R1),
 - Operation, maintenance, repair and decommissioning of infrastructure (INF-R2),
 - Upgrading (INF-R3),
 - Vehicle access tracks (INF-R4),
 - Temporary infrastructure (INF-R5),
 - Signs for the purpose of infrastructure (INF-R6),
 - Cabinets (INF-R7),
 - Infrastructure located within existing buildings (INF-R8), and
 - Underground pipelines and other structures (INF-R9 and INF-R10),
- Aboveground telecommunications, radiocommunications and electricity distribution infrastructure (INF-R11 to INF-R14),
- Gas transmission infrastructure (INF-R15 to INF-R16),
- Electricity transmission infrastructure (INF-R17 to INF-R19),
- Aboveground water infrastructure (INF-R20),
- Transport infrastructure (INF-R21 to INF-R24), and
- Infrastructure not otherwise provided for (INF-R25).

Operating, maintaining, repairing, upgrading, developing and decommissioning of infrastructure is excluded from all provisions rules in area-specific and other district-wide chapter, except for:

- a. [to be removed due to plan stop requirements]
- b. Provisions for infrastructure activities which involve trimming or removal of Notable Trees (located in the Notable Trees chapter),
- c. [to be removed due to plan stop requirements]
- d. Provisions for Noise, including for infrastructure activities (located in the Noise chapter), and
- e. Provisions for the Protection of Infrastructure, including from other infrastructure activities (located in the Protection of Infrastructure chapter).

[How to use the rule tables – to be removed due to plan stop requirements]

Commented [PM26]: Minor correction – consistent terminology

Commented [PM27]: (Consequential amendment) - Telecommunication Companies (311.23) and Transpower (504.21)

The rules table in the Infrastructure chapter have been reformatted due to the withdrawal of certain topics from the PDP due to the limited scope of the plan stop exemption. There was no change to the content or mechanics of the rules as part of this reformatting.

General **activities — operation, maintenance, repair and decommissioning**

Commented [PM28]: Transpower (504.38)

INF-R1	Operation of infrastructure involving radiofrequency fields and electric and magnetic fields
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with INF-S1: Radiofrequency fields and electric magnetic fields.
All zones	1. Activity status: Non-complying Where: a. Compliance is not achieved with INF-R1.1.

Commented [PM29]: Telecommunications Companies (311.42)

INF-R2	Operation, maintenance, repair, and decommissioning of infrastructure
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S3: Underground infrastructure; ii. INF-S16: Earthworks — Slope, height, depth and location; iii. INF-S17: Earthworks — Area limit, including trenching; and iv. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R2.1. Matters of discretion are restricted to: a. The matters in INF-P1 to INF-P6. b. The degree of non-compliance and matters of discretion of any infringed standard. c. The functional needs, operational needs, and technical requirements of the infrastructure. d. Any positive effects that can only be achieved through non-compliance with a rule or standard. e. For transport network infrastructure, the matters in INF-P7. f. For National Grid infrastructure, the matters in INF-P8. g. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.

Commented [PM30]: Wellington Water (422.9)

	h. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
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INF-R3	Upgrading of infrastructure, excluding transport network infrastructure, <u>electricity transmission infrastructure over 110kV and gas and transmission pipelines over 110kV</u>
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: - INF-S2: Upgrading of <u>aboveground</u> infrastructure - INF-S3: Underground infrastructure - INF-S16: Earthworks — Slope, height, depth and location; - INF-S17: Earthworks — Area limit, including trenching; and - INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: <u>Restricted discretionary Non-complying</u> Where: a. Compliance is not achieved with INF-R3.1.

Commented [PM31]: Powerco (414.26), the Policy Planning Team of Hutt City Council (440.20), the Fuel Companies (471.106a) and Clarus (474.24a)

Commented [PM32]: Clarus (474.24b)

Commented [PM33]: Telecommunication Companies (311.44) and the Fuel Companies (471.106b), and Wellington Water (422.11)

INF-R4	New vehicle access tracks and extensions to existing vehicle access tracks ancillary to infrastructure
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: - INF-S16: Earthworks — Slope, height, depth and location; - INF-S17: Earthworks — Area limit, including trenching; and - INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R4.1. Matters of discretion are restricted to: - The matters in INF-P1 to INF-P6. - The degree of non-compliance and matters of discretion of any infringed standard. - The functional needs, operational needs, and technical requirements of the infrastructure. - Any positive effects that can only be achieved through non-compliance with a rule or standard. - For transport network infrastructure, the matters in INF-P7. - For National Grid infrastructure, the matters in INF-P8. - For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.

	8. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
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INF-R5	Temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with INF-S11 Temporary infrastructure – duration; and b. Compliance is achieved with: - INF-S16: Earthworks — Slope, height, depth and location; - INF-S17: Earthworks — Area limit, including trenching; and - INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is achieved with INF-R5.1(a); and b. Compliance is not achieved with INF-R5.1(b). Matters of discretion are restricted to: - The matters in INF-P1 to INF-P6. - The degree of non-compliance and matters of discretion of any infringed standard. - The functional needs, operational needs, and technical requirements of the infrastructure. - Any positive effects that can only be achieved through non-compliance with a rule or standard. - For transport network infrastructure, the matters in INF-P7. - For National Grid infrastructure, the matters in INF-P8. - For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. - For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
All zones	2. Activity status: Discretionary Where: a. Compliance is not achieved with INF-R5.1(a).

INF-R6	Signs associated with operating, maintaining, and repairing, or developing, upgrading and decommissioning of infrastructure
All zones	1. Activity status: Permitted Where:

Commented [PM34]: Includes INF-R6 and INF-R21 merged into one rule

	a. The sign is for the purpose of operating the transport network; and b. Located in the road reserve or rail corridor.
All zones	2. Activity status: Permitted Where: a. Compliance is not achieved with INF-R6.1; and b. Compliance is achieved with: i. SIGN-S8: Transport network safety; and ii. INF-S13: Signs.
All zones	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R6.1; and b. Compliance is not achieved with INF-R6.2. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8. 7. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 8. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

INF-R7	New cabinets (not regulated by the NESTF)
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S4: Cabinets which are located within the road reserve or rail corridor; ii. INF-S5: Cabinets which are not located within the road reserve or rail corridor; iii. INF-S16: Earthworks — Slope, height, depth and location iv. INF-S17: Earthworks — Area limit, including trenching; and v. INF-S18: Earthworks — reinstatement

All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R7.1(a). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.
All zones	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R7.1(b). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure located within a High Natural Hazard Overlay, The change to risks from natural hazards as a result of the activity being undertaken.
All zones	4. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R7.1(c). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8.

INF-R8	New infrastructure located within existing buildings
All zones	1. Activity status: Permitted

INF-R9	New underground pipelines, including electricity and gas distribution and three waters, excluding electricity and gas transmission
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S3: Underground infrastructure; ii. INF-S17: Earthworks — Area limit, including trenching; and iii. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R9.1. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8. 7. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 8. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

INF-R10	New underground structures other than pipelines
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S3: Underground infrastructure; ii. INF-S17: Earthworks — Area limit, including trenching; and iii. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R10.1. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard.

	3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8. 7. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 8. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
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Telecommunications, radiocommunications and electricity distribution – lines not over 110kV, customer connections, support structures, antennas and aboveground mounted equipment

INF-R11	New antennas or aboveground mounted equipment attached to existing support structure or buildings (not regulated by the NESTF)
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S9: Size — antennas and aboveground mounted equipment; and ii. INF-S10: Height — building mounted antennas (not regulated by the NESTF).
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R11.1. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8. 7. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 8. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

INF-R12	New support structures including telecommunication poles, with or without associated lines (not over 110kV), antenna or aboveground mounted equipment (not regulated by the NESTF)
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S6: Height — support structures (not regulated by the NESTF); ii. INF-S7: Size — support structures (not regulated by the NESTF); iii. INF-S8: Location — support structures; iv. INF-S9: Size — antennas and aboveground mounted equipment; v. INF-S16: Earthworks — Slope, height, depth and location vi. INF-S17: Earthworks — Area limit, including trenching; and vii. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R12.1(a). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.
All zones	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R12.1(b). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure located within a High Natural Hazard Overlay, The change to risks from natural hazards as a result of the activity being undertaken

All zones	4. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R12.1(c). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8.

INF-R13	New customer connection lines and support structures (not regulated by the NESTF)
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with INF-S12: Customer connection lines; and b. Compliance is achieved with: i. INF-S16: Earthworks — Slope, height, depth and location ii. INF-S17: Earthworks — Area limit, including trenching; and iii. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is achieved with INF-R13.1(a); and b. Compliance is not achieved with INF-R13.1(b). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 6. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

All zones	3. Activity status: Discretionary Where: a. Compliance is not achieved with INF-R13.1(a).
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INF-R14	Cabinets, antennas and poles regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF
All zones	1. Activity status: Restricted discretionary Matters of discretion are restricted to: 1. Those matters identified in Regulation 15(2) of the NESTF.

Gas transmission

INF-R15	Upgrading of gas transmission pipelines, including ancillary equipment, structures and buildings
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S16: Earthworks — Slope, height, depth and location ii. INF-S17: Earthworks — Area limit, including trenching; and iii. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R15.1(a). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, Effects on pedestrian amenity, comfort, and safety, and visual amenity.
All zones	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R15.1(b). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure.

Commented [PM35]: Clarus (474.27a)

Commented [PM36]: Clarus (474.26)

	3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For infrastructure located within a High Natural Hazard Overlay, The change to risks from natural hazards as a result of the activity being undertaken
All zones	4. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R15.1(c). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard.

INF-R16	New gas transmission pipelines
All zones	1. Activity status: Discretionary Where: a. Not located in the Active Street Frontage Overlay; and b. Not located in the High Natural Hazard Overlay.
All zones	2. Activity status: Non-complying Where: a. Located in the Active Street Frontage Overlay; or b. Located in the High Natural Hazard Overlay.

Electricity transmission

INF-R17	Upgrading of transmission lines above 110kV, including associated support structures (not regulated by the NESETA)
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S14: Buildings or structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location; iii. INF-S17: Earthworks — Area limit, including trenching; iv. INF-S18: Earthworks — reinstatement; and v. INF-S21: Upgrading of transmission lines.

Commented [PM37]: Transpower (504.39)

All zones	2. Activity status: Restricted discretionary Where: a. Located in the Active Street Frontage Overlay; and b. Compliance is achieved with: i. INF-S14: Buildings or structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location; iii. INF-S17: Earthworks — Area limit, including trenching; iv. INF-S18: Earthworks — reinstatement; and v. INF-S21: Upgrading of transmission lines. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For National Grid infrastructure, the matters in INF-P8. 5. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.
All zones	3. Activity status: Restricted discretionary Where: a. Located in the High Natural Hazard Overlay; and b. Compliance is achieved with: i. INF-S14: Buildings or structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location; iii. INF-S17: Earthworks — Area limit, including trenching; iv. INF-S18: Earthworks — reinstatement; and v. INF-S21: Upgrading of transmission lines. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For National Grid infrastructure, the matters in INF-P8. 5. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
All zones	4. Activity status: Discretionary Where: a. Compliance is not achieved with INF-R17.3(c).

Commented [PM38]: Transpower (504.39

All zones	5. Activity status: Discretionary Where: a. Located in the High Natural Hazard Overlay; and b. Compliance is not achieved with INF-R17.3(b).
All zones	6. Activity status: Non-complying Where: a. Located in the Active Street Frontage Overlay; and b. Compliance is not achieved with INF-R17.2(b).

Commented [PM39]: Transpower (504.39)

INF-R18	New transmission lines including associated support structures, that convey electricity over 110kV or above
All zones, excluding City Centre Zone	4. Activity status: Discretionary Where: a. Not located in the Active Street Frontage Overlay
All zones, excluding City Centre Zone	2. Activity status: Non-complying Where: a. Located in the Active Street Frontage Overlay
City Centre Zone	3. Activity status: Non-complying

Commented [PM40]: Transpower (504.40)

INF-R19	New substations, transformers, switching stations and ancillary buildings for the National Grid
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S14: Buildings or structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location; iii. INF-S17: Earthworks — Area limit, including trenching; and iv. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R19.1(c). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6.

Commented [PM41]: Transpower (504.41)

	- The degree of non-compliance and matters of discretion of any infringed standard. - The functional needs, operational needs, and technical requirements of the infrastructure. - Any positive effects that can only be achieved through non-compliance with a rule or standard. - For National Grid infrastructure, The matters in INF-P8.
All zones	3. Activity status: Restricted discretionary Where: - Located in the High Natural Hazard Overlay. Matters of discretion are restricted to: - The matters in INF-P1 to INF-P6. - The functional needs, operational needs, and technical requirements of the infrastructure. - Any positive effects that can only be achieved through non-compliance with a rule or standard. - For National Grid infrastructure, the matters in INF-P8. - For infrastructure located within a High Natural Hazard Overlay, The change to risks from natural hazards as a result of the activity being undertaken
All zones	4. Activity status: Restricted discretionary Where: a. Located in the Active Street Frontage Overlay. Matters of discretion are restricted to: The matters in INF-P1 to INF-P6. The functional needs, operational needs, and technical requirements of the infrastructure. Any positive effects that can only be achieved through non-compliance with a rule or standard. For National Grid infrastructure, the matters in INF-P8. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, Effects on pedestrian amenity, comfort, and safety, and visual amenity.

Commented [PM42]: Transpower (504.41)

Aboveground water infrastructure

INF-R20	New aboveground water reservoirs, water and wastewater treatment plants and water, wastewater and stormwater pump stations, not contained in a cabinet
All zones	1. Activity status: Discretionary Where: - Not located in the Active Street Frontage Overlay; and - Not located in the High Natural Hazard Overlay
All zones	2. Activity status: Non-complying Where:

	a. Located in the Active Street Frontage Overlay; or b. Located in the High Natural Hazard Overlay.
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Transport infrastructure

INF-R21	Signs for the purpose of operating the transport network, located in road reserve or rail corridor
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Commented [PM43]: Merged with INF-R6

INF-R22	Ancillary transport network infrastructure
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S4: Cabinets which are located in the road reserve or rail corridor; ii. INF-S6: Height — support structures (not regulated by the NESTF) iii. INF-S7: Size — support structures (not regulated by the NESTF) iv. INF-S8: Location — support structures v. INF-S9: Size — antennas and aboveground mounted equipment i. INF-S14: Buildings or structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location iii. INF-S17: Earthworks — Area limit, including trenching; and iv. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R22.1. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, The matters in INF-P7. 6. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 7. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

INF-R23	Upgrading transport network infrastructure, including cycleways and shared paths
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All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. INF-S15: Road design; ii. INF-S16: Earthworks — Slope, height, depth and location iii. INF-S17: Earthworks — Area limit, including trenching; and iv. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R23.1. Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 7. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken

INF-R24	New transport network infrastructure, including cycleways and shared paths
All zones	1. Activity status: Permitted Where: a. Located within existing road reserve or rail corridor; and b. Compliance is achieved with: i. INF-S15: Road design; ii. INF-S16: Earthworks — Slope, height, depth and location iii. INF-S17: Earthworks — Area limit, including trenching; iv. INF-S18: Earthworks — reinstatement; and
All zones	2. Activity status: Restricted discretionary Where: a. Not located within existing road reserve or rail corridor; and

Commented [PM44]: NZTA (385.34) and KiwiRail (442.44)

	b. Compliance is achieved with <u>INF-R24.1(b)</u>: i. INF-S15: Road design; ii. INF-S16: Earthworks — Slope, height, depth and location iii. INF-S17: Earthworks — Area limit, including trenching; iv. INF-S18: Earthworks — reinstatement; and Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity. 6. For infrastructure located within a High Natural Hazard Overlay, the change to risks from natural hazards as a result of the activity being undertaken
All zones	3. Activity status: Discretionary Where: a. Compliance is not achieved with INF-R24.1(b).

Infrastructure not otherwise provided for in the above tables

INF-R25	Infrastructure not otherwise provided for or subject to any other rule in chapter
All zones	1. Activity status: Permitted Where: a. Not located in the Active Street Frontage Overlay; b. Not located in the High Natural Hazard Overlay; and c. Compliance is achieved with: i. INF-S14: Buildings and structures, other than cabinets or support structures; ii. INF-S16: Earthworks — Slope, height, depth and location iii. INF-S17: Earthworks — Area limit, including trenching; and iv. INF-S18: Earthworks — reinstatement.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R25.1(a). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard.

	4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure (other than National Grid infrastructure) located within the Active Street Frontage Overlay, effects on pedestrian amenity, comfort, and safety, and visual amenity.
All zones	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R25.1(b). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The functional needs, operational needs, and technical requirements of the infrastructure. 3. Any positive effects that can only be achieved through non-compliance with a rule or standard. 4. For transport network infrastructure, the matters in INF-P7. 5. For National Grid infrastructure, the matters in INF-P8. 6. For infrastructure located within a High Natural Hazard Overlay, The change to risks from natural hazards as a result of the activity being undertaken
All zones	4. Activity status: Restricted discretionary Where: a. Compliance is not achieved with INF-R25.1(c). Matters of discretion are restricted to: 1. The matters in INF-P1 to INF-P6. 2. The degree of non-compliance and matters of discretion of any infringed standard. 3. The functional needs, operational needs, and technical requirements of the infrastructure. 4. Any positive effects that can only be achieved through non-compliance with a rule or standard. 5. For transport network infrastructure, the matters in INF-P7. 6. For National Grid infrastructure, the matters in INF-P8.

Standards

INF-S1	Radiofrequency fields and electric magnetic fields
All Zones	• The maximum exposure levels do not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields — Maximum exposure levels — 3kHz to 300 GHz.' • Infrastructure that emits electric and magnetic fields complies with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz — 100 Hz), Health Physics 99(6):818-836; 2010 and the recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, 2007). There are no matters of discretion if the standard is breached.

INF-S2	Upgrading of infrastructure
All Zones	• The replacement, realignment or relocation of a line, any pipe (excluding a gas transmission pipeline), support structure, conductor, cross arm, switch, transformer or ancillary structure must be within 5m of the existing alignment or location. • A single mast pole, pi pole or similar support structure must not be replaced by a steel-lattice structure. • A support structure must not exceed the height of the replaced support structure, or the maximum structure height provided for in INF-S6: Height — Support structures not regulated by the NESTF, whichever is higher. • The diameter or width of a replacement support structure: ◦ Must not exceed twice the width of the replaced support structure at its widest point, or ◦ Where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed 4.2m. • The number of additional support structures required to achieve the conductor clearances required by NZECP 34:2001 must not exceed two. • Additional cross arms must not exceed twice the length of the existing cross arm, up to a maximum of 4m. • The diameter of replacement pipes located aboveground must not exceed the diameter of the replaced pipe by more than 300mm. • The realignment, relocation, or replacement of any other infrastructure structure or building must be within 5m of the alignment or location of the original structure or building. • The realignment, relocation, or replacement of any infrastructure structure or building must not increase its footprint by more than the following: ◦ Where located within a High Flood Hazard Area Stream Corridor or Medium Flood Hazard Area Overland Flow Path: 5%. ◦ In all other cases: 30%. • A replacement panel antenna must not increase the face area by more than 20%. • A replacement dish antenna must not increase in diameter by more than 20%. Matters of discretion if the standard is breached: • Visual effects, including impacts on: ◦ The residential and recreation use of land in the vicinity of the structure, ◦ The existing character, landscape, streetscape, and amenity values of the locality, and ◦ Key public places, public viewing points, the coast, and significant recreational areas. • Measures to mitigate the visual effect of the structure, including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. • Whether the size and scale of the structure is compatible with other development in the area.

Commented [PM45]: Policy Planning Team of Hutt City Council (440.22)

	- The extent to which it is technically, economically, or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings. - Where located in the High Flood Hazard Overlay or Medium Flood Hazard Overlay: - Effects related the obstruction and displacement of floodwaters.
INF-S3	Underground infrastructure
All Zones	- For the installation or upgrading of pipelines, the gauge pressure must not exceed 2,000 kilopascals. - Trenching for the construction, operation, maintenance and repair, removal, or upgrade of infrastructure must not exceed 1.0m in depth where located within 1.5m of a building or structure on any adjacent site. There are no matters of discretion if the standard is breached.
INF-S4	Cabinets located within road reserve or the rail corridor
Rural Zones	The cabinet must not exceed a maximum height above ground level of 2m.
Industrial Zones	The cabinet must not exceed a maximum area of 6m².
Open Space and Recreation Zones	The cabinet must not exceed a maximum height above ground level of 2m.
Residential Zones	The cabinet must not exceed a maximum area of 2m², except for electricity distribution substations, which must not exceed a maximum area of 5m².
Commercial and Mixed Use Zones	
Special Purpose Zones	
All zones	Matters of discretion if the standard is breached: - Adverse effects on traffic and pedestrian safety including sightlines and the visibility of traffic signage. Adverse effects on the attractiveness of active transport environments. - Visual effects, including impacts on: - The residential and recreation use of land in the vicinity of the structure, - The existing character, landscape, streetscape and amenity values of the locality, and - Key public places, public viewing points, the coast, and significant recreational areas. - Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. - Whether the size and scale of the structure is generally compatible with other development in the area.

Commented [PM46]: Powerco (414.37b)

INF-S5	Cabinets not located within road reserve or the rail corridor
All Zones	- The cabinet must not exceed a maximum height above ground level of 3m. - The cabinet must not exceed a maximum area of 15m². [to be removed due to plan stop requirements] - The cabinet must not be located within 2m of a side or rear boundary that adjoins a residential zone, except where it does not exceed 2m in height. Matters of discretion if the standard is breached: - Visual effects, including impacts on: - The residential and recreation use of land in the vicinity of the structure, - The existing character, landscape, streetscape and amenity values of the locality, and - Key public places, public viewing points, the coast, and significant recreational areas. - Measures to mitigate the bulk and scale of the structure, including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. - Whether the size and scale of the structure is generally compatible with other development in the area.
INF-S6	Height — Support structures not regulated by the NESTF
Large-Lot Residential Zone - Rural-Lifestyle Zone - Natural-Open Space Zone - Open Space Zone - Sport and Active Recreation Zone - Marae Zone	1. The support structure must not exceed a maximum height above ground level of 12m (single provider). 2. The support structure must not exceed a maximum height above ground level of 15m (two or more providers).
Medium-Density Residential Zone -	3. The support structure must not exceed a maximum height above ground level of 17m (single provider). 4. The support structure must not exceed a maximum height above ground level of 22m (two or more providers).
High-Density Residential Zone - Local-Centre Zone - Neighbourhood Centre Zone	5. The support structure must not exceed a maximum height above ground level of 27m (single provider). 6. The support structure must not exceed a maximum height above ground level of 32m (two or more providers).

Commented [PM47]: Telecommunication Companies (311.63)

- Mixed-Use-Zone - Metropolitan Centre-Zone - City-Centre-Zone - Hospital-Zone - Tertiary-Education-Zone - Quarry-Zone - Seaview-Marina-Zone	
- Light Industrial Zone - Heavy Industrial Zone - General Industrial Zone - General Rural Zone	7. The support structure must not exceed a maximum height above ground level of 30m (single provider). 8. The support structure must not exceed a maximum height above ground level of 35m (two or more providers).
All-Zones	Matters of discretion if the standard is breached: 1. Visual effects, including impacts on: a. The residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape, streetscape and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.
INF-S6	Height — Support structures not regulated by the NESTF
<u>Residential zones</u> <u>Rural zones</u> <u>Industrial zones</u>	1. <u>The support structure must not exceed a maximum height of the permitted height for the relevant zone or the Specific Height Control Overlay, plus 5 metres.</u> 2. <u>A further 5 metres in height is afforded where two or more infrastructure providers are co-located on the same structure.</u>

Commented [PM48]: Telecommunications Companies (311.63)

<u>Open Space and Recreation zones</u> <u>Special Purpose zones</u> <u>Local Centre Zone</u> <u>Neighbourhood Centre Zone</u> <u>Mixed Use Zone</u>	
<u>City Centre Zone</u>	3. <u>The support structure must not exceed a maximum height above ground level of 27m (single provider).</u> 4. <u>The support structure must not exceed a maximum height above ground level of 32m (two or more providers).</u>
<u>Metropolitan Centre Zone</u>	5. <u>Where located in the Specific Height Control Overlay, the support structure must not exceed a maximum height of the Specific Height Control Overlay, plus 5 metres.</u> 6. <u>Where not located in the Specific Height Control Overlay:</u> a. <u>The support structure must not exceed a maximum height above ground level of 27m (single provider).</u> b. <u>The support structure must not exceed a maximum height above ground level of 32m (two or more providers).</u>
<u>All Zones</u>	<u>Matters of discretion if the standard is breached:</u> 9. <u>Visual effects, including impacts on:</u> a. <u>The residential and recreation use of land in the vicinity of the structure,</u> b. <u>The existing character, landscape, streetscape and amenity values of the locality, and</u> c. <u>Key public places, public viewing points, the coast, and significant recreational areas.</u> 10. <u>Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures.</u> 11. <u>Whether the size and scale of the structure is compatible with other development in the area.</u> 12. <u>The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.</u>
INF-S7	<u>Size Width or diameter</u> — Support structures not regulated by the NESTF
Residential Zones Open Space and Recreation Zones Commercial and Mixed Use Zones	1. The maximum width of the structure when measured at ground does not exceed a maximum width of: a. 1.3m — single provider, or b. 1.5m — two or more providers. 2. From above 6m in height above ground level, the diameter of the structure must not exceed: a. 600mm — single provider, or

Commented [PM49]: Telecommunication Companies (311.64)

Special Purpose Zones	b. 1m — two or more providers. 3. The width of poles must not exceed 4.2m.
Rural Zones	Matters of discretion if the standard is breached: 1. Visual effects, including impacts on: a. Residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape, streetscape, and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure, including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is generally compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.
Industrial Zones	4. No requirements.
INF-S8	Location — Support structures
All Zones	1. [to be removed due to plan stop requirements] 2. The support structure must not be located within 10m of a side or rear boundary that adjoins a residential zone, except: a. Where it does not exceed 5m in height, or b. Where it is located in road reserve or the rail corridor. Matters of discretion if the standard is breached: 1. Visual effects including impacts on: a. The residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape streetscape, and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is generally compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.
INF-S9	Size — Antennas and aboveground mounted equipment
All Zones	1. A panel antenna: a. Must not exceed a front face width of 0.7m, and b. When in a road reserve, must fit within an envelope of 3.5m in length and 0.7m in width. 2. A dish antenna must not exceed a diameter of 1.2m. 3. Omni directional 'whip' or dipole antenna must not exceed: a. 1.6m in vertical length, b. 60mm in diameter, and

Commented [PM50]: Telecommunication Companies (311.66)

	c. 1.5m in horizontal length. 4. A headframe must not exceed: a. 2.5m in diameter in Residential Zones (except when located in a road), or b. 6m in diameter in all other zones. 5. In residential zones, aboveground mounted equipment associated with antennas must be located within the antenna mounts. 6. Aboveground mounted equipment must not exceed 1m in length. 7. The area when measured in plan view of aboveground mounted equipment not associated with antennas must not exceed: a. 0.5m² if unenclosed, and b. 1.0m² if enclosed in a three-dimensional casing. Matters of discretion if the standard is breached: 1. Visual effects, including impacts on: a. The residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape, streetscape and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is generally compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.
INF-S10	Height — Building mounted antennas not regulated by the NESTF
All Zones	1. The top of the antenna must not extend more than 5m above the highest point of the roof structure. 2. If the building is in a Residential Zone, the lowest point at which the antenna is attached to the building must be at least 15m above the ground. Matters of discretion if the standard is breached: 1. Visual effects, including impacts on: a. The residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape, streetscape and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is generally compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings.

	5. The extent to which antennas can be designed or screened so that they form an integral part of the total building design.
INF-S11	Temporary Infrastructure - Duration
All Zones	- The temporary infrastructure or temporary electricity generator and self-contained power unit must: - Operate for no more than 12 months, and - Be removed from the site when the operation ceases or is no longer required, within the period set in INF-S11.1a. There are no matters of discretion if the standard is breached.
INF-S12	Customer connection lines
All Zones	- New support structures for the connection must not include a steel-lattice structure. - The connection must not exceed three additional support structures. - The diameter of the conductors, lines or cables must not exceed 30mm. There are no matters of discretion if the standard is breached.
INF-S13	Signs
All Zones	- Signs are exempt from this standard if they are located on a site and are not visible beyond the site on which they are located. - All signs associated with construction, maintenance and repair, or upgrading of infrastructure must: - Be installed no sooner than three months prior to any works commencing, and - Be removed no later than one month after completion of the works. - Where located on a site, all signs must not exceed a combined area of 3m². - Where located within road reserve, all signs within a 100m stretch of the road must not exceed a combined area of 3m².
All zones	Matters of discretion if the standard is breached: - Any positive effects that cannot be achieved while complying with the standard. - The size, location, height, and design of the sign. - The character and visual amenity of the surrounding area. - How the sign fits with the design and proportions of the building it is placed on (if placed on a building). - The safety and efficiency of the transport network. - Cumulative effects.
INF-S14	Buildings and structures, other than cabinets or support structures
All Zones	- Where located on a site: - Compliance must be achieved with the bulk and location standards for the zone in which the building or structure is located. - Where not located on a site: - Must not exceed a maximum height of 3m above ground level, - Must not exceed 20m² in area, and

Commented [PM51]: Clauses 5 to 10 of INF-S13, to be removed due to plan stop requirements

Commented [PM52]: Clauses 3 to 8 of INF-S14 to be removed due to plan stop requirements

	c. [removed] d. It must not be located within 1m of a boundary that adjoins a residential zone, except where it does not exceed 2m in height.
All zones	Matters of discretion if the standard is breached: 1. Visual effects including impacts on: a. The residential and recreation use of land in the vicinity of the structure, b. The existing character, landscape, streetscape and amenity values of the locality, and c. Key public places, public viewing points, the coast, and significant recreational areas. 2. Measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. 3. Whether the size and scale of the structure is generally compatible with other development in the area. 4. The extent to which it is technically, economically or practically reasonable for the masts or antennas to be co-sited with similar structures or other buildings. 5. Where located in the High Flood Hazard Overlay or Medium Flood Hazard Overlay: a. Effects related to the obstruction and displacement of floodwaters.
INF-S15	Road design
All Zones	1. Cycleways and shared paths located outside of the road reserve, <u>and state highways</u>, are exempt from this standard. 2. All roads must be designed and constructed in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure, except where superseded by a clause in this standard. 3. New roads must be provided with pedestrian footpaths in accordance with the following: a. Peri-urban Roads, Rural Connectors and Rural Roads: footpaths must be provided on at least one side of the roads. b. All other roads: Footpaths must be provided on both sides of the road. c. All footpaths must be clear of the carriageway. 4. Pedestrian footpaths must have: a. A minimum width of 1.8m, and b. A crossfall not exceeding 2%, including where intersected by vehicle crossings. 5. The road must not be a no-exit road. 6. All roads must be formed with a minimum 4m permanently navigable movement lane to ensure suitable access for firefighting. 7. Street lighting must be provided in accordance with AS/NZS 1158:2005 Lighting for Roads and Public Spaces 8. Street trees must be provided in accordance with Table 1: Street trees specifications and Table 2: Street trees species list. 9. All roads must be designed so that compliance is achieved with New Zealand Standard 6806:2010 Acoustics — Road-traffic noise — New and altered roads.

Commented [PM53]: NZTA (385.36)

	10. <u>All roads must include a 1m wide infrastructure berm. The infrastructure berm must be provided in addition to any footpaths and street tree berms which are required by a clause in this standard or Table 1 Street trees specifications.</u> There are no matters of discretion if the standard is breached.
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Commented [PM54]: Telecommunication Companies (311.72)

Table 1: Street trees specifications

Size class at maturity (stem diameter at 1.5m above ground)		<600mm	600+mm
Height at maturity (m)		3-8	5-10
Minimum number of trees per 100m of road		4	4
Horizontal setback distances from underground infrastructure (m)	- Manholes, drainage catchments, surface openings - Trunk water mains - Stormwater pipes >300mm diameter - Sewer pipes >300mm diameter - Distribution gas pipelines - Distribution or customer connection electricity lines <u>Telecommunication lines including customer connection lines</u>	0.50	1.5
	- Transmission gas pipelines - Transmission electricity lines	4.0	4.0
Horizontal setback distances from structures (m)	- Hard surfaces (footpaths etc) - Road kerbs - Vehicle crossings - Masonry walls	0.6	1.0
	- Pavers - Lightly loaded structures (bus shelters, garages etc) - Heavily loaded structures (houses etc)	0.7	1.5
	- Street lights <u>Telecommunications poles</u>	5.0	5.0
Minimum berm width (m)		1.5	2.0
Minimum topsoil depth (m)		0.5	0.6
Minimum soil volume (m ³)		10.0	12.0

Commented [PM55]: Telecommunications Companies (311.73)

Table 2: Street trees – species list

Botanical name	Common Name	Size class	Sub-region
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			EB — Eastern Bays SV- Stokes Valley VN — Valley Floor, north of Whites Line VS — Valley Floor, south of Whites Line WA — Wainuiomata WH — Western Hills
<i>Agonis flexuosa</i>	Willow Myrtle	600mm+	EB, VN, VS, WH
<i>Alnus cordata</i>	Italian Alder	600mm+	SV, VN, VS, WA
<i>Azara microphylla</i>	Boxleaf Azara	<300mm	EB
<i>Albizia julibrissin</i> 'Red Silk'	Persian Silk Tree	600mm+	EB, VN, VS
<i>Banksia integrifolia</i>	Coast Banksia	600mm+	EB, VS
<i>Betula nigra</i>	River Birch	600mm+	SV, VN, VS, WA
<i>Betula utilis</i>	Birch	600mm+	VN, SV
<i>Corylus colurna</i>	Turkish Hazel	300 — 600mm	EB, VN, VS, SV, WH
<i>Corymbia ficifolia</i> / <i>Eucalyptus ficifolia</i>	Red Flowering Gum	600mm+	EB VS
<i>Dacrycarpus dacrydioides</i>	Kahikatea	600mm+	SV
<i>Eucalyptus leucoxylon rosea</i>	Red-flowering Yellow Gum	600mm+	EB, VN, SV, WH, VS, WA
<i>Fraxinus americana</i>	White Ash	600mm+	VN, SV
<i>Fraxinus angustifolia</i>	Narrow-leaved Ash	600mm+	VN, WA, SV
<i>Fraxinus excelsior</i>	European Ash	600mm+	VN, WA, SV
<i>Ginkgo biloba</i>	Maidenhair Tree	600mm+	VN, WA, SV
<i>Gleditsia triacanthos inermis</i>	Honey Locust	600mm+	EB, VN, SV
<i>Gordonia yunnanensis</i>	Fried Egg Tree	<300mm	VN, SV
<i>Hedycarya arborea</i>	Poroakaiwhiri	<300mm	WH, SV

Hoheria angustifolia	Houhi	300 — 600mm	EB, VN, SV, WH
Hoheria sexstylosa	Houhere	300 — 600mm	SV, VN
Kunzea ericoides	Kānuka	<300mm	EB, SV, VN, WA
Liquidambar styraciflua	American Sweetgum	600mm+	SV, VN, WA
Magnolia grandiflora	Magnolia	600mm+	EB, VS, VN
Malus tschonoskii	Chonosuki Crabapple	<300mm	EB, VN, WA, WH, SV, VS
Maytenus boaria	Maiten	300 — 600mm	EB, VN
Melia azedarach	Persian Lilac	600mm+	SV, VN, EB
Metasequoia glyptostroboides	Dawn Redwood	600mm+	SV
Metrosideros excelsa cvs	Pohutukawa	600mm+	EB, VN, VS
Metrosideros excelsa, M. kermadecensis	Pohutukawa	600mm+	EB, VN, VS
Metrosideros hybrids — 'Mistral', 'Maungapiko'	Mistral, Maungapiko	600mm+	EB, SV VN, VS, WH
Metrosideros robusta	Northern Rātā	600mm+	EB, VN, WA, WH, SV, VS
Metrosideros umbellata	Southern Rātā	300 — 600mm	VS
Myoporum laetum	Ngaio	300 — 600mm (Requires berm widths of at least 5m)	VS
Myrsine australis	Māpou	<300mm	WH, EB, VN, VS, WA
Olea europaea	European Olive	<300mm	EB
Phyllocladus trichomanoides	Tānekaha	300 — 600mm	SV
Pittosporum eugenioides	Tarata	300 — 600mm	EB, SV, VN, WA
Pittosporum tenuifolium	Kōhūhū	300 — 600mm	EB, SV, VN, WA, WH

Plagianthus regius	Mānatu	300 — 600mm	EB, SV, VN, WA, WH
Podocarpus totara, Podocarpus hallii	Totara	600mm+	EB, SV, VN, WA
Pseudopanax arboreus	Puahou	300 — 600mm	WH
Pyrus calleryana	Callery Pear	300 — 600mm	EB, SV, VN, VS, WA, WH
Schinus molle	California Pepper Tree	600mm+	EB, VN,
Sophora subsp. -microphylla -godleyi -tetrapetala -chathamica	Kowhai	<300mm	EB, SV, VN, VS, WA, WH
Tristaniaopsis laurina	Water Gum	300 — 600mm	EB, VN, VS
Ulmus parvifolia	Chinese Elm	300 — 600mm (Requires berm widths of at least 5m)	EB, SV, VN, VS, WA, WH
Zelkova serrata	Zelkova	300 — 600mm (Requires berm widths of at least 5m)	SV, VN

INF-S16	Earthworks — Slope, height, depth, and location
All Zones	- Earthworks are exempt from this standard if it is: - Undertaken by a network utility operator to achieve the ground to conductor clearance required by NZECP34:2001, or - Associated with any building or structure used for infrastructure purposes that are within 2m of the exterior walls of the building or structure, measured in plan view, or - Any piling associated with a support structure that is within 2m of an existing support structure or necessary to install a support structure, or - For the purpose of trenching and there is no permanent change to ground levels.
All Zones	- Earthworks must not be undertaken on an existing slope with an angle of 34° or greater. - Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except where the site boundary separates adjoining sites which are both within the area of land

Commented [PM56]: Clauses 6 to 8 of INF-S16 to be removed due to plan stop requirements

	subject to the proposed works <u>or where earthworks are within the road corridor.</u>
All Zones	- Earthworks cut or fill depth (measured vertically) must not exceed 1.5m, except where the earthworks are associated with switchback sections for the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road. - Earthworks associated with the development of new and maintenance of existing walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically.
<u>Medium Flood Hazard Overlay Stream Corridor Overlay</u> <u>High Flood Hazard Overlay Overland Flow Overlay</u>	Earthworks cut or fill must not permanently change the ground level.
All zones	Matters of discretion if the standard is breached: - The stability of land or structures in or on the site or adjacent sites. - The visual amenity values and character of the surrounding area. - The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform removed. <u>Methods for t</u>the retention of silt and sediment on the site and the control of dust. <u>Any The</u> staging of earthworks. - The total area of exposed soils at any point in time. <u>[to be removed due to plan stop requirements]</u> - The ability to integrate the proposed earthworks and be sympathetic with the surrounding landform removed. - The degree to which the effects of the earthworks can be remedied or mitigated. <u>[to be removed due to plan stop requirements]</u> - Whether there is any change to natural hazard risk.
INF-S17	Earthworks — Area limit, including trenching
Residential Zones	The total earthworks area open at any one time, must not exceed 250m².
Commercial and Mixed Use Zones	The total earthworks area open at any one time, must not exceed 500m².
Industrial Zones	
Open Space and Recreation Zones	

Commented [PM57]: Accept the submission point of Powerco (414.42)

Commented [PM58]: Policy Planning Team of Hutt City Council (440.23)

Commented [PM59]: KiwiRail (442.48)

Commented [PM60]: Clauses 4 to 8 of INF-S17 to be removed due to plan stop requirements

Special Purpose Zones	
Rural Zones	3. The total earthworks area open at any one time, must be no greater than 1,000m ² .
All zones	Matters of discretion if the standard is breached: 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The retention of silt and sediment on the site and the control of dust. 4. The staging of earthworks. 5. The total area of exposed soils at any point in time. <u>Note:</u> Where earthworks traverse zone boundaries with different permitted thresholds for maximum area, • The overall area must not exceed the higher of the permitted thresholds of the two zones. • That section of earthworks which is contained in the zone with the smaller threshold must not exceed that threshold. For example, the total earthworks in a residential zone is permitted up to 250m². However it may extend over the boundary to a rural zone for an additional 750m².
INF-S18	Earthworks and vegetation removal — Reinstatement
All Zones	1. As soon as it is practicable, but no later than three months after the completion or stage completion of earthworks or vegetation removal, the earthworks and/or vegetation removal area must be stabilised with replacement planting or sealed, paved, metalled, or built over. Matters of discretion if the standard is breached: 1. The timing and duration of the works. 2. The retention of silt and sediment on the site and the control of dust. 3. Land stability. 4. The visual amenity of the surrounding area.
INF-S19 and INF-S20 [to be removed due to plan stop requirements]	
INF-S21	Upgrading of transmission lines not regulated by the NESETA
All Zones	1. The upgrade must not include any new or relocated support structures. There are no matters of discretion if the standard is breached.

Commented [PM61]: Wellington Water (422.10)

PINF — Protection of Infrastructure

~~Adverse effects from I-L~~ and use and development can adversely affect the operation and development of infrastructure and regionally significant infrastructure and can thereby impact the successful functioning of the city and beyond. This includes direct adverse effects from buildings and structures which have potential to obstruct access to infrastructure as well as reverse sensitivity ~~effects~~, where an activity sensitive to the effects of infrastructure are established nearby, leading to constraints and additional costs for the operation or development of the infrastructure.

Commented [PM62]: The Fuel Companies (471.117)

Commented [PM63]: Transpower (504.44)

Commented [CN64]: HSI Minor Correction
Policy Planning team of Hutt City Council (440.3)

This chapter includes provisions which are intended to protect the Gas Transmission Network and the National Grid from adverse effects arising from land use and development. Other chapters of the District Plan also play a role in managing adverse effects on infrastructure. In particular:

- The Earthworks chapter, which controls earthworks near gas transmission infrastructure and the National Grid,
- The Hazardous Substances chapter, which includes provisions to protect gas and petroleum infrastructure,
- The Noise chapter, which includes provisions to control activities sensitive to noise near state highways and rail corridors, and
- The Subdivision chapter, which controls subdivision near gas transmission infrastructure and the National Grid.

Objectives

PINF-01	Adverse effects on <u>regionally significant infrastructure and other infrastructure</u>
The adverse effects of subdivision, use, and development do not compromise the operation and development of infrastructure. <u>The safety, maintenance, operation, upgrade or development of infrastructure and regionally significant infrastructure is not compromised by incompatible subdivision, land use or development.</u>	

Commented [PM66]: KiwiRail 442.50

Policies

PINF-P1	Protecting regionally significant infrastructure
Regionally significant infrastructure is protected from incompatible new subdivision, use and development by: 7. Avoiding the location of activities sensitive to hazardous substance risk within a defined risk management overlay. 8. Avoiding activities sensitive to the National Grid, and controlling buildings, structures and earthworks within a defined National Grid Yard. 9. Controlling subdivision within a defined National Grid Subdivision Corridor. 10. Controlling subdivision, buildings, structures, earthworks and activities sensitive to gas transmission infrastructure within a defined Gas Transmission Pipeline Corridor 11. Controlling noise sensitive activities within a defined Highway and Railway Noise Overlay.	

12. Requiring new vehicle crossing to not be located in proximity to railway crossings.

Commented [PM67]: 442.52

PINF-P2	Adverse effects on gas transmission infrastructure
Gas transmission infrastructure is protected from incompatible use and development by: 1. Only allowing buildings, structures and activities within the Gas Transmission Pipeline Corridor which do not compromise the operation and development of the gas transmission network, and 2. Maintaining ongoing access to the gas transmission network for maintenance and upgrading works.	

PINF-P3	Adverse effects on the National Grid
Protect the safe and efficient operation, maintenance and repair, upgrading and development of the National Grid from adverse effects by: 1. Avoiding land uses (including Activities sensitive to the National Grid and any increase in their scale and intensity) and buildings and structures within the National Grid Yard that may directly affect or otherwise compromise the National Grid, 2. Avoiding reverse sensitivity <u>effects</u> on the National Grid, 3. Maintaining ongoing access to National Grid conductors and support structures for maintenance and upgrading works, and 4. Achieving compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).	

Commented [CN68]: HSI Minor Correction
Policy Planning team of Hutt City Council (440.3)

Rules

This chapter includes provisions for the protection of infrastructure from the adverse effects of land use and development.

The rules of this chapter address:

- Buildings, structures and activities located within the Gas Transmission Pipeline Corridor, and
- Buildings, structures and activities located within the National Grid Yard.

The chapter does not include the following:

- Provisions controlling activities sensitive to noise in the Highway and Railway Noise Overlay (located in the Noise chapter),
- Provisions controlling subdivision within the Gas Transmission Pipeline Corridor (located in the Subdivision chapter),
- Provisions controlling subdivision within the National Grid Subdivision Corridor (located in the Subdivision chapter),
- Provisions controlling activities sensitive to hazardous substance risks within the risk management overlay or within 250m of an existing significant hazardous facility (located in the Hazardous Substances chapter. The facilities protected by these provisions include gas and petroleum infrastructure), or
- Provisions controlling earthworks within the National Grid Yard or within the Gas Transmission Pipeline Corridor (located in the Earthworks chapter).

PINF-R1	Activities in the Gas Transmission Pipeline Corridor
All Zones	1. Activity status: Permitted Where:

	a. The activities are not activities sensitive to gas transmission infrastructure.
All Zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with PINF-R1.1. Matters of discretion are restricted to: 1. The extent to which the proposed activities avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities. 2. The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network. 3. Risks relating to health or public safety, including the risk of property damage. 4. The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network. 5. Technical advice provided by the owner and operator of the Gas Transmission Network. Notification: An application under this rule is precluded from public notification. When deciding whether any person is affected in relation to this rule, the Council will give specific consideration to any adverse effects on the owner and operator of the gas transmission network.
PINF-R2	Construction of Bbuilding and structures, including additions and alterations to existing buildings and structures, within the Gas Transmission Pipeline Corridor, excluding buildings and structures which form part of the gas distribution and transmission networks
All Zones	1. Activity status: Restricted discretionary Where: a. Located within the Gas Transmission Pipeline Corridor. Matters of discretion are restricted to: 1. The extent to which the proposed development design and layout avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities. 2. The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network. 3. Risks relating to health or public safety, including the risk of property damage.

Commented [CN69]: HSI Minor Correction
Policy Planning team of Hutt City Council (440.3)

Commented [CN70]: New Zealand Heavy Haulage
Association (429.03 and 429.08)

Commented [PM71]: Powerco (414.48)

	4. The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network. 5. Technical advice provided by the owner and operator of the Gas Transmission Network. Notification: An application under this rule is precluded from publicly notification. When deciding whether any person is affected in relation to this rule, the Council will give specific consideration to any adverse effects on the owner and operator of the gas transmission network.
PINF-R3	Activities in the National Grid Yard
All Zones	1. Activity status: Permitted Where: a. The activity is not one of the following: i. Activities sensitive to the National Grid, or ii. The use, handling or storage of hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties, (except this does not apply to the access use and storage of hazardous substances in domestic-scale quantities), or iii. Wintering barns, commercial greenhouses, immovable protective canopies, produce packing facilities, or milking sheds.
All Zones	2. Activity status: Non-complying Where: a. Compliance is not achieved with PINF-R3.1. Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
PINF-R4	Construction of Bbuildings and structures, including additions and alterations to existing buildings and structures, in the National Grid Yard

Commented [CN72]: HSI Minor Correction
Policy Planning team of Hutt City Council (440.3)

Commented [CN73]: New Zealand Heavy Haulage
Association (429.03 and 429.08)

All Zones	1. Activity status: Permitted Where: a. The building or structure is for one of the following: i. For the purpose of network utility operations or any part of electricity generation that connects to the National Grid, or ii. A non-habitable farm or horticulture structure or building or a stockyard, or iii. A fence, or iv. An accessory building that is associated with an existing residential activity and is less than 10m² in area and a maximum height of 2.5m above ground level, or v. Alterations to an existing building or structure that is used for activities sensitive to the National Grid and which does not increase the building or structure height or footprint, and b. Compliance is achieved with PINF-S1: Setbacks and separation distances for buildings and structures located within the National Grid Yard. Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks, and the operation of mobile plant, must comply with that regulation.
All Zones	2. Activity status: Non-complying Where: a. Compliance is not achieved with PINF-R4.1 Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

Standards

PINF-S1	Setbacks and separation distances for buildings and structures located within the National Grid Yard
1. There is no minimum setback for buildings and structures which are part of the National Grid.	

2. Fences not exceeding a maximum height of 2.5m above ground level must be setback a minimum 6m from the outer visible edge of a foundation of a National Grid support structure.
3. All other buildings and structures must be setback a minimum 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is:
 - i. is a network utility or any part of electricity infrastructure that connects to the National Grid; or
 - ii. a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34: 2001.
4. Buildings and structures must not permanently physically impede vehicular access to a National Grid support structure.
5. All buildings and structures in the National Grid Yard must comply with the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 0114-0663 under all transmission line and building operating conditions.

There are no matters of discretion if the standard is breached.

Commented [PM74]: Transpower (504.50)

Definitions

Recommendations on definitions:

Activity sensitive to the National Grid

means a:

1. residential activity, or
2. retirement village, or
3. supported residential care facility, or
4. marae / papakāinga, or
5. healthcare activity, or
6. education activity, or
7. community facility, or
8. commercial activity, or
9. custodial corrections facility, or
10. visitor accommodation, or
11. place of assembly.

Commented [PM75]: Transpower (504.2)

Ancillary transport network infrastructure

means infrastructure located within the road reserve and rail corridor that supports the transport network and includes but is not limited to:

- a. traffic control signals and devices, or
- b. light poles, or
- c. post boxes, or

Commented [PM76]: NZTA (385.4) and KiwiRail (442.4)

- d. landscaped gardens, artwork and sculptures, or
- e. bus stops and shelters, or
- f. telecommunication kiosks, or
- g. public toilets, or
- h. road or rail furniture, or
- i. micro-mobility lock-up facilities.

Maintenance and repair

For infrastructure and renewable electricity generation activities

means any work or activity necessary to continue the operation or functioning of existing infrastructure or renewable electricity generation activities. It does not include upgrading, but does include replacement of an existing structure with a new structure of identical dimensions.

National Grid Subdivision Corridor

means, as depicted in Diagram 1, by the green arrow in the diagrams below, the area measured either side of the centre line of any above ground electricity transmission line as follows:

- a. 32m of a 110kV transmission line on towers, and
- b. 37m of a 220kV transmission line, and.
- c. 39m of a 350kV transmission line

The measurement of setback distances from the National Grid shall be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

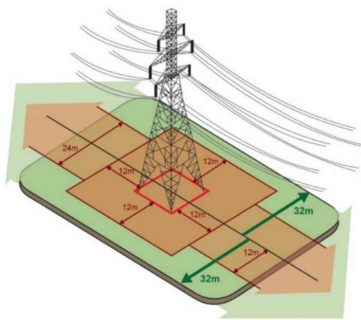
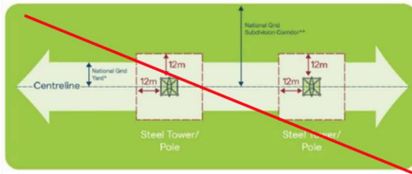
Note:

The National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Commented [PM77]: Telecommunication Companies (311.13), NZTA (385.12), KiwiRail (442.7) and WRC (452.9)

Commented [PM78]: Transpower (504.7)

Diagram 1: National Grid Yard and National Grid Subdivision Corridor.



Steel Lattice Tower - 110kV Transmission Line

National Grid Yard

means as depicted in the area in orange in Diagram 1:

- the area located within 12m either side of the centreline of an above ground transmission line on that is 110kV or greater, and
- the area located within 12m in any direction from the outer visible edge of an electricity transmission support structure, associated with a line which is 110kV or greater.

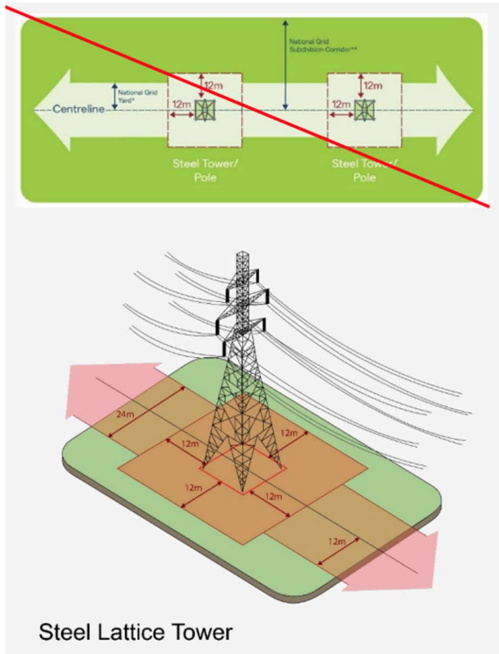
The measurement of setback distances from the National Grid must be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note:

The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Commented [PM79]: Transpower (504.8)

Diagram 1: National Grid Yard and National Grid Subdivision Corridor.



Pole

For telecommunication equipment only, has the same meaning as in section 4 of the NESTF (as set out below)

means a pole, mast, lattice tower, or similar structure, of a kind that is able to be used (with or without modification) to support antennas.

Regionally significant infrastructure

means regionally significant infrastructure including:

- a. pipelines for the distribution or transmission of natural or manufactured gas or petroleum, including any associated fittings, appurtenances, fixtures or equipment,

Commented [PM80]: Telecommunications Companies (311.12)

b. a network operated for the purposes of telecommunications, as defined in section 5 of the Telecommunications Act 2001,

c. a network operated for the purpose of radiocommunications, as defined in section 2(1) of the Radio Communications Act 1989,

d. the National Grid,

e. facilities for the generation and/or transmission of electricity where it is supplied to the National grid and/or the local distribution network,

f. facilities for the electricity distribution network, where it is 11kV and above. This excludes private connections to the local distribution network,

g. the local authority water supply network (including intake structures) and water treatments plants,

h. the local authority wastewater and stormwater networks and systems, including treatment plants and storage and discharge facilities, ~~and~~

i. the Strategic Transport Network, including rail corridors, core bus routes, strategic roads and regional cycling network, as identified in the Wellington Regional Land Transport Plan 2021-

Commented [PM81]: KiwiRail (442.17)

j. Silverstream Landfill, and

Commented [PM82]: Enviro NZ (323.15) and Waste Management NZ (461.9)

k. Infrastructure associated with port related activities and adjacent land used in association with the movement of cargo and passengers including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.

Commented [PM83]: Fuel Companies (471.74)

Appendix 3: Recommended decisions on Infrastructure and Protection of Infrastructure

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Horokiwi Quarries Ltd	246	7a	Support in part	No relief requested	Accept in part
Horokiwi Quarries Ltd	246	7b	Oppose (requesting new provision)	Add new Strategic Objective as follows: "INFSD-07: - <u>The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.</u>	Accept in part
Heritage New Zealand Pouhere Taonga	248	20	Support	Retain policy as notified	Accept
Heritage New Zealand Pouhere Taonga	248	21	Support	Retain policy as notified	Accept in part
Heritage New Zealand Pouhere Taonga	248	23	Support	Retain provisions as notified	Accept in part
Heritage New Zealand Pouhere Taonga	248	24	Support	Retain provisions as notified	Accept
Christene Loweth	267	18	Oppose in part	Seeks that roads are made wide enough to accommodate parked vehicles or make it mandatory for new premises to have off-street parking. (Refer to original submission).	Reject
Ron Beernink and Glenda McCallum	303	7	Support in part	Seeks that a reference is included to the Hutt City Cycling and Micromobility Business Case	Reject
Ron Beernink and Glenda McCallum	303	9	Support in part	Seeks that definition is widened to encompass a broader range of outcomes including for biodiversity, public amenity and attractive cities (inferred) - refer to original submission	Reject
Connexa, Chorus, FortySouth and Spark	311	1	Oppose in part	Amend as follows: "means equipment which are located above ground level on a support structure, and includes transformers, switches, capacitors, battery banks, small cell units and similar devices, and supporting equipment for antennas. Does not include: a. antennas and ancillary equipment for antenna, b. aerials, or c. lighting devices."	Reject
Connexa, Chorus, FortySouth and Spark	311	2	Support	Retain as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	3	Support	Retain as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Connexa, Chorus, FortySouth and Spark	311	5	Support	Retain as notified with regards to telecommunications - refer to original submission	Accept
Connexa, Chorus, FortySouth and Spark	311	7	Support	Retain as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	8	Oppose	Delete definition	Reject
Connexa, Chorus, FortySouth and Spark	311	9	Support	Retain as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	10	Support	Retain as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	12	Multiple	Amend the definition as follows: "means any mast, pole or similar structure used or intended to be used for the support of lighting devices, lighting rods, signs, aerials, antennas, sensing devices, beacons, lines or aboveground mounted equipment." And, Add a new definition for <u>Pole</u>: <u>"has the same meaning as in section 4 of the NESTF (as set out below)</u> <u>means a pole, mast, lattice tower, or similar structure, of a kind that is able to be used (with or without modification) to support antennas."</u>	Accept in part
Connexa, Chorus, FortySouth and Spark	311	13	Multiple	Retain the definition of upgrading as notified, and Add a definition of <u>Maintenance and repair</u> as follows: <u>"means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading, but does include replacement of an existing structure with a new structure of identical dimensions."</u>	Accept in part
Connexa, Chorus, FortySouth and Spark	311	17	Oppose in part	Amend objective as follows: "Land use and development is integrated with the provision of infrastructure, including transport and three waters services, and open space."	Accept
Connexa, Chorus, FortySouth and Spark	311	18	Oppose in part	Amend objective as follows:	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				"The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of necessary transport and other infrastructure."	
Connexa, Chorus, FortySouth and Spark	311	19	Oppose in part	Amend objective as follows: "Regionally Significant Infrastructure of national and regional significance is supported and protected."	Accept
Connexa, Chorus, FortySouth and Spark	311	21	Support	Retain objective as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	22	Support	Retain as Introduction - other regulatory requirements as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	23	Oppose in part	Amend first paragraph under this heading as follows: "The Infrastructure chapter includes provisions for operating, maintaining, repairing, developing, upgrading and decommissioning infrastructure. These infrastructure activities are excluded from most rules in other chapters of the District Plan (details on which other rules apply to infrastructure are given at the beginning of the rules section of this chapter), however objectives and policies in other chapters may be relevant. "	Accept in part
Connexa, Chorus, FortySouth and Spark	311	24	Support	Retain objective as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	25	Support	Retain objective as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	26	Oppose in part	Amend objective as follows: "Enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of, subdivision, use, and development."	Reject
Connexa, Chorus, FortySouth and Spark	311	27	Support	Retain objective as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	28	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	29	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	30	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	31	Support	Retain provision as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Connexa, Chorus, FortySouth and Spark	311	32	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	33	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	34	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	35	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	40	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	41	Support in part	Seeks that a typographical error regarding the 's' on district wide chapter is corrected. And that the subdivision chapter is also referenced as relevant for the subdivision of infrastructure.	Accept
Connexa, Chorus, FortySouth and Spark	311	42	Support in part	Amend rule description as follows: "INF-R1 Operation of infrastructure involving radiofrequency fields <u>and</u> electric magnetic fields"	Accept
Connexa, Chorus, FortySouth and Spark	311	43	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	44	Support in part	Amend activity statuses as follows: - All NC activity status revised to RDIS; - All DIS activity status is revised to RDIS; -Amend ONFs and ONLs Inside the Coastal Environment so that activities are PER where standards are complied with, and RDIS where they are not.	Accept
Connexa, Chorus, FortySouth and Spark	311	49	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	52	Support in part	Amend activity statuses as follows: - Amend the activity status for the Active Street Frontage Overlay to PER where standards are complied with. - All NC activity status is revised to RDIS	Reject
Connexa, Chorus, FortySouth and Spark	311	53	Support in part	Amend rule as follows: - Amend the activity status for all overlays to PER where standards are complied with. - Amend the activity status for all overlays to CON where standards are complied with. -Add as a matter of control, that effects on the applicable overlay are mitigated to the extent practicable.	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Connexa, Chorus, FortySouth and Spark	311	54	Support in part	Amend rule as follows: -Replace the words as per NESTF with RDIS. - Add CON to the column titled "Where no other columns in this table apply" for panel antenna up to 0.8m wide and dish antenna up to 1.3m wide. - Any larger antenna are RDIS. - Add as a matter of control, "the need for the infrastructure".	Reject
Connexa, Chorus, FortySouth and Spark	311	56	Support in part	Amend the assessment matters to add the following matter: "12. Any resilience benefits resulting from the proposed infrastructure."	Reject
Connexa, Chorus, FortySouth and Spark	311	57	Support in part	Seeks that matters of discretion in standard apply in addition to the assessment criteria specified in the rule framework	Accept in part
Connexa, Chorus, FortySouth and Spark	311	58	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	59	Support in part	Amend standard as follows: "1. The replacement, realignment or relocation of a line, any pipe (excluding a gas transmission pipeline), support structure, conductor, cross arm, switch, transformer or ancillary structure must be within 510m of the existing alignment or location. 2. A single mast pole, pi pole or similar support structure must not be replaced by a steel -lattice structure."	Reject
Connexa, Chorus, FortySouth and Spark	311	60	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	61	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	62	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	63	Multiple	Seeks the following relief for this standard - - Retain as notified the heights the Light, Heavy and General Industrial Zones, as well as General Rural Zone. Add Rural Lifestyle Zone to this row of the table (delete it from its current position). - Amend the row of the table for Large Lot Residential, Natural Open Space, Open Space and Sport and Active Recreation and Marae Zones to 15m for one provider and 20m for two or more. - Amend the High Density Residential, Local Centre, Neighbourhood Centre, Mixed Use, Metropolitan Centre, City Centre, Hospital, Tertiary Education, Quarry and Seaview Marina Zones to 28m for a single provider and 33m for two or more. - Amend the row of the table for Outstanding Natural Features, Outstanding Natural Landscapes, High and Very High Coastal Natural Character and Outstanding Coastal Natural Character overlays to 15m.	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Connexa, Chorus, FortySouth and Spark	311	64	Support in part	Amend standard title as follows: "INF-S7 Size width or diameter – Support structures not regulated by the NESTF <u>Note – this standard does not apply to any antenna or headframe provided for under INF-S9."</u>	Accept in part
Connexa, Chorus, FortySouth and Spark	311	65	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	66	Support in part	Amend standard as follows: "1. A panel antenna: a. Must not exceed a <u>front face</u> width of 0.7m, and b. When in a road reserve, must fit within an envelope of 3.5m in length and 0.7m in width. 2. A dish antenna must not exceed a diameter of 1.2m. 3. Omni directional ‘whip’ or dipole antenna must not exceed: a. 1.6m in vertical length, b. 60mm in diameter, and c. 1.5m in horizontal length. 4. A headframe must not exceed: a. 2.5m in diameter in Residential Zones (except when located in a road), or b. 6m in diameter in all other zones. 5. In residential zones, aboveground mounted equipment associated with antennas must be located within the antenna mounts. 6. Aboveground mounted equipment must not exceed 1m in length. 7. The area when measured in plan view of aboveground mounted equipment not associated with antennas must not exceed: a. 0.5m² if unenclosed, and b. 1.0m² if enclosed in a three-dimensional casing."	Accept in part
Connexa, Chorus, FortySouth and Spark	311	67	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	68	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	69	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	70	Support	Retain provision as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Connexa, Chorus, FortySouth and Spark	311	71	Support	Retain provision as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	72	Support in part	Amend standard to include additional clause as follows: "10. Provide a berm at least 1m wide for infrastructure to be located."	Accept in part
Connexa, Chorus, FortySouth and Spark	311	73	Support in part	Amend table as follows: Horizontal setback distances from structures: "Telecommunications Infrastructure - 5m" (for all trees)	Accept in part
Connexa, Chorus, FortySouth and Spark	311	74	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	75	Support	Retain provision as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	78	Support	Retain objective as notified	Accept in part
Connexa, Chorus, FortySouth and Spark	311	79	Support in part	Amend policy as follows: "Regionally significant infrastructure is protected from incompatible new subdivision, use and development by: ... 6. Controlling buildings in close proximity to existing telecommunication antenna."	Reject
Connexa, Chorus, FortySouth and Spark	311	51a	Oppose in part	Amend rule description as follows: "INF-R11 New antennas or aboveground mounted equipment attached to existing support structure or buildings (not regulated by the NESTF)"	Reject
Laura Skilton	314	74	Oppose in part	Amend standard to insert clause as follows: "1. Signs are exempt from this standard if they are located on a site and are not visible beyond the site on which they are located. 2. Signs are exempt from this standard if they are erected by Hutt City Council in their role as the local Road Control Authority in accordance with the requirements of the Traffic Control Devices Manual. 3-2. All signs associated with construction, maintenance and repair, or upgrading of infrastructure must"	Accept in part
Enviro NZ	323	004	Support in part	Add "space for Council kerbside waste bins" to list of items	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Enviro NZ	323	008	Support	Retain definition as notified [inferred]	Accept
Enviro NZ	323	010	Oppose in part	Amend to add to the list: " <u>m. district or regional resource recovery or waste disposal facilities</u> "	Reject
Enviro NZ	323	013	Other/Not stated	Unclear, see original submission	Accept
Enviro NZ	323	015	Support in part	Amend to add " <u>The Silverstream landfill and regional resource recovery facilities</u> " to list	Accept in part
Enviro NZ	323	019	Support in part	Amend as follows: "Land use and development is integrated with the provision of infrastructure, including transport and three waters services, <u>waste facilities</u> and open space"	Accept in part
Enviro NZ	323	020	Amend	Amend as follows: "The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of necessary transport, <u>additional</u> and other infrastructure."	Accept in part
Enviro NZ	323	021	Multiple	Support as notified or add a reference to regional waste management infrastructure based on decisions on other submission points - see original submission.	Accept in part
Enviro NZ	323	024	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept
Enviro NZ	323	025	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept
Enviro NZ	323	026	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept
Enviro NZ	323	027	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept in part
Enviro NZ	323	028	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept
Enviro NZ	323	029	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept in part
Enviro NZ	323	030	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept
Enviro NZ	323	031	Support	Retain provision as notified [inferred, conditional - see original submission]	Accept in part
Enviro NZ	323	032	Support in part	Amend rule title: "Infrastructure not otherwise provided for or subject to any other rule in chapter (<u>excluding district or regional resource recovery or waste disposal facilities</u>)"	Reject
Enviro NZ	323	023a	Support in part	Amend as follows: "This chapter outlines the provisions of the District Plan that relate to the operation and development of infrastructure. Infrastructure enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, and their health and safety. The infrastructure managed through this chapter include those defined as infrastructure under <u>this Plan section 2 of the Resource Management Act. Only the objectives and policies in this chapter apply to the district or regional resource recovery or waste disposal facilities (including the Silverstream Landfill).</u> "	Accept in part
Enviro NZ	323	023b	Support in part	Under "Relationship with other chapters", add " <u>Rules for district or regional resource recovery or waste disposal facilities (including the Silverstream Landfill)</u> " to the list of things the chapter does not have provisions for.	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Fire and Emergency New Zealand	374	7	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	15	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	18	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	19	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	20	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	21	Support	Retain as notified	Accept in part
Fire and Emergency New Zealand	374	22	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	23	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	24	Support in part	Amend policy as follows: "Providing for upgrading and developing the transport network where, as far as practicable, it: ... 3. Improves connectivity for and integration between all transport modes, including by: ... b. Allocating adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles, <u>including emergency service/s vehicles</u> , and on-street parking, and... "	Reject
Fire and Emergency New Zealand	374	25	Support in part	Amend as follows: "... 2. All roads must be designed and constructed in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure, except were superseded by a clause in this standard. ... 6. All roads must be formed with a minimum 4m permanently navigable movement lane, <u>minimum 4m height clearance, and a maximum gradient of 20% for a straight ramp or 10% for curved ramps</u> , to ensure suitable access for firefighting. ..."	Reject
Fire and Emergency New Zealand	374	14a	Support	Retain as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Fire and Emergency New Zealand	374	14b	Support	Retain as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	4	Support in part	Amend the definition as follows: "“means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, <u>but is not limited to</u> : a...."	Accept
NZ Transport Agency Waka Kotahi	385	12	Oppose (requesting new provision)	Add definition of "Maintenance and repair": "For the purposes of infrastructure, means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading but does include replacement of an existing structure with a new structure of identical dimensions."	Accept in part
NZ Transport Agency Waka Kotahi	385	16	Support in part	Amend the definition as follows: “.... i. the Strategic Transport Network as identified in the <u>Regional Policy Statement, Regional Plan, or Wellington Regional Land Transport Plan 2021</u>”	Reject
NZ Transport Agency Waka Kotahi	385	21	Support	Retain definition as notified	Accept
NZ Transport Agency Waka Kotahi	385	22	Support	Retain definition as notified	Accept
NZ Transport Agency Waka Kotahi	385	25	Support	Retain as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	26	Support	Retain as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	27	Support	Retain as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	28	Support in part	Amend the policy as follows: “.... 5. Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors <u>where appropriate to do so</u>”	Reject
NZ Transport Agency Waka Kotahi	385	29	Support	Retain rule as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
NZ Transport Agency Waka Kotahi	385	30	Support in part	Seeks changes to the permitted activity status, if relief sought in relation to INF-S13 and SIGN-S8 is not accepted (Refer to original submission and related submission points 385.35 and 385.91)	Accept in part
NZ Transport Agency Waka Kotahi	385	31	Support	Retain rule as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	32	Support	Retain rule as notified	Accept
NZ Transport Agency Waka Kotahi	385	33	Support	Retain rule as notified	Accept
NZ Transport Agency Waka Kotahi	385	34	Oppose in part	Amend activity status in rule table - where Restricted Discretionary "RDIS" is identified, replace with Permitted "PER"	Accept in part
NZ Transport Agency Waka Kotahi	385	35	Support in part	Amend the standard to insert the following clause: All zones: "5. <u>The sign must not be oriented to be read from any state highway including on ramps and off ramps.</u> " (Then update numbering of INF-S13 accordingly.)	Reject
NZ Transport Agency Waka Kotahi	385	36	Support in part	Amend the standard as follows: "... <u>Note: The construction and operation of a new state highway will not be required to comply with these standards.</u> "	Accept in part
NZ Transport Agency Waka Kotahi	385	37	Support	Retain objective as notified	Accept in part
NZ Transport Agency Waka Kotahi	385	38	Support	Retain policy as notified	Accept in part
Ministry of Education	399	2	Support	Retain definition as notified	Accept
Ministry of Education	399	6	Support	Retain definition as notified	Accept in part
Ministry of Education	399	7	Oppose (requesting new provision)	Add definition of "Additional infrastructure": "means: a. public open space b. community infrastructure as defined in section 197 of the Local Government Act 2002 c. land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities d. social infrastructure, such as schools and healthcare facilities	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				e. a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001) f. a network operated for the purpose of transmitting or distributing electricity or gas."	
Ministry of Education	399	12	Support in part	Amend objective as follows: "Land use and development is integrated with the provision of infrastructure, including transport and three waters services, <u>additional infrastructure</u> , and open space."	Accept in part
Ministry of Education	399	13	Support in part	Amend objective as follows: The nature, timing and sequencing of new development is coordinated with the funding, implementation and operation of necessary transport and other <u>additional</u> infrastructure.	Accept in part
Ministry of Education	399	14	Support	Retain objective as notified	Accept
Ministry of Education	399	15	Support	Retain objective as notified	Accept
Ministry of Education	399	19	Support in part	Amend objective as follows: "Urban development takes place within areas identified for this purpose in a manner which uses land and infrastructure (<u>including additional infrastructure</u>) most efficiently."	Accept in part
New Zealand Defence Force	404	01	Oppose in part	Amend the definition of infrastructure to refer to defence facilities.	Reject
New Zealand Defence Force	404	05	Support in part	Add "defence facilities" to the list of regionally significant infrastructure	Reject
New Zealand Defence Force	404	08	Support	Retain provision as notified [inferred]	Accept in part
New Zealand Defence Force	404	10	Support	Retain provision as notified [inferred]	Accept in part
New Zealand Defence Force	404	11	Support	Retain provision as notified [inferred]	Accept in part
New Zealand Defence Force	404	12	Oppose (requesting new provision)	Add new policy "PINF-Px: <u>Reverse sensitivity</u> Avoid incompatible activities that may affect or cause reverse sensitivity effects on the efficient operation, maintenance, repair, replacement, upgrading, renewal, or development of regionally significant infrastructure."	Reject
New Zealand Defence Force	404	09a	Support	Retain provision as notified [inferred]	Accept
New Zealand Defence Force	404	09b	Support	Retain provision as notified [inferred]	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
New Zealand Defence Force	404	09c	Support	Retain provision as notified [inferred]	Accept in part
New Zealand Defence Force	404	09d	Support	Retain provision as notified [inferred]	Accept
Director-General of Conservation	405	14	Support in part	Seeks that the policy is amended to achieve a better balance in giving effect to the RMA, NZCPS and NPSET, in particular by strengthening the policy in relation to the management of effects on indigenous biodiversity, and the management of effects on natural character and landscape values in the coastal environment	Accept in part
Director-General of Conservation	405	17	Oppose (requesting new provision)	Add a new policy to the Infrastructure section to manage the effects of upgrading and developing infrastructure on indigenous biodiversity.	Reject
Director-General of Conservation	405	18	Oppose in part	Seeks that activity status rules and performance standards are amended as necessary, to ensure that resource consent is required, and effects on biodiversity are appropriately managed, for infrastructure activities that are of a scale or location that creates the potential for this type of effect.	Reject
Director-General of Conservation	405	19	Oppose in part	Seeks that the rules are amended to appropriately manage buildings, structures, earthworks and indigenous vegetation clearance associated with infrastructure within coastal and riparian margins.	Reject
Director-General of Conservation	405	21	Oppose in part	Seeks that the wording of the rule description is amended for clarity.	Reject
Powerco Limited	414	1	Support	Retain definition as notified	Accept
Powerco Limited	414	2	Support in part	Amend definition as follows: "... a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, <u>biogas</u> , or geothermal energy: ..."	Reject
Powerco Limited	414	3	Support in part	Amend definition as follows: "... a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, <u>biogas</u> , or geothermal energy; or..."	Reject
Powerco Limited	414	4	Support	Retain definition as notified	Accept
Powerco Limited	414	5	Support	Retain definition as notified	Accept in part
Powerco Limited	414	6	Support	Retain definition as notified	Accept
Powerco Limited	414	7	Support	Retain objective as notified	Accept in part
Powerco Limited	414	8	Support	Retain objective as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Powerco Limited	414	9	Support	Retain objective as notified	Accept
Powerco Limited	414	10	Support	Retain policy as notified	Accept in part
Powerco Limited	414	11	Support	Retain policy as notified	Accept
Powerco Limited	414	12	Support	Retain policy as notified	Accept
Powerco Limited	414	13	Support	Retain policy as notified	Accept in part
Powerco Limited	414	14	Support	Retain policy as notified	Accept
Powerco Limited	414	15	Oppose in part	Amend policy as follows: "... 2. Recognising that co-location of infrastructure, shared use of infrastructure corridors and undergrounding of infrastructure <u>may, where practicable,</u> provide opportunities for avoiding and minimising adverse effects, 3. Where <u>significant</u> adverse effects cannot be avoided due to the functional needs and operational needs of the infrastructure to be in that location, then the extent to which those adverse effects are minimised by the infrastructure design or operation, ..."	Accept in part
Powerco Limited	414	16	Support	Retain policy as notified	Accept in part
Powerco Limited	414	17	Support	Retain policy as notified	Accept in part
Powerco Limited	414	22	Oppose in part	Amend policy as follows: "... 4 It is consistent with the urban design outcomes for the zone or precinct in which it is located...."	Accept in part
Powerco Limited	414	23	Support	Retain as notified	Accept in part
Powerco Limited	414	24	Oppose in part	Seeks that the rule tables are amended so that each zone is clearly identified in the rule.	Accept
Powerco Limited	414	25	Support	Retain rule as notified	Accept in part
Powerco Limited	414	26	Oppose in part	Amend INF-R3 as follows: "Upgrading of infrastructure, excluding transport network infrastructure, and gas and <u>transmission pipelines and electricity transmission lines</u> over 110kV."	Accept
Powerco Limited	414	27	Support	Retain rule as notified	Accept
Powerco Limited	414	28	Support	Retain rule as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Powerco Limited	414	29	Oppose in part	Amend activity status under this rule as follows: Active Street Frontage Overlay: "RDIS-PER"	Reject
Powerco Limited	414	30	Support	Retain rule as notified	Accept
Powerco Limited	414	31	Support	Retain rule as notified	Accept
Powerco Limited	414	32	Support	Retain rule as notified	Accept
Powerco Limited	414	33	Support	Retain rule as notified	Accept
Powerco Limited	414	34	Support	Retain as notified	Accept
Powerco Limited	414	35	Support	Retain standard as notified	Accept in part
Powerco Limited	414	36	Support	Retain standard as notified	Accept
Powerco Limited	414	38	Support	Retain standard as notified	Accept
Powerco Limited	414	39	Support	Retain standard as notified	Accept
Powerco Limited	414	40	Support	Retain standard as notified	Accept
Powerco Limited	414	41	Oppose in part	Amend table as follows: Horizontal setback distances from underground infrastructure: "<600mm: 0.50 1.5 600+mm: 1.5 3"	Reject
Powerco Limited	414	42	Oppose in part	Amend standard as follows: "... 3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works, <u>or where earthworks are within the road corridor.</u> ..."	Accept
Powerco Limited	414	43	Support	Retain standard as notified	Accept in part
Powerco Limited	414	44	Support	Retain standard as notified	Accept
Powerco Limited	414	46	Support	Retain objective as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Powerco Limited	414	47	Support	Retain policy as notified	Accept in part
Powerco Limited	414	48	Oppose in part	Amend rule as follows: "1. Activity status: Restricted discretionary Where: Located within the Gas Transmission Pipeline Corridor, <u>excluding gas distribution buildings and structures.</u> "	Accept in part
Powerco Limited	414	37a	Oppose in part	Amend standard to insert new row for Active Street Frontage Overlay: "Active Street Frontage Overlay: 1. The cabinet must not exceed a maximum height above ground level of 1.5m. 2. The cabinet must not exceed a maximum area of 1m2."	Reject
Powerco Limited	414	37b	Oppose in part	Amend matters of discretion for the standard as follows: "Matters of discretion if the standard is breached: ... 2. Adverse effects on the attractiveness of active transport environments. ... 4. <u>Where practicable</u> measures to mitigate the bulk and scale of the structure including screening, colour and finish treatment, landscape screening, viewing distances, and the location of support structures. ..."	Accept in part
Wellington Electricity	415	5	Support in part	Amend policy to include the following clause at the end: "Enable development within or near infrastructure corridors where: a. Safe separation distances are maintained in accordance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001); b. Access to infrastructure assets for operation, inspection, maintenance and upgrades is retained; c. Effects on the operation, resilience or integrity of the infrastructure can be avoided, remedied or mitigated through design, layout or built form; and d. The infrastructure owner has been consulted and supports the development approach."	Reject
Wellington Electricity	415	6	Support in part	Amend rule to include the following additional clause: "This rule includes routine minor upgrading activities such as reconductoring of existing lines, replacement	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				or strengthening of poles and cross-arms, and the installation of pole-mounted equipment (such as switches, fuses, or communications devices), where the effects are no greater than those of the existing infrastructure and the works comply with relevant safety and engineering standards."	
Wellington Electricity	415	3a	Support in part	Seeks definition is amended to include exclusion for "minor upgrading" (inferred - refer to original submission), or accept relief requested in submission point 415.9c	Reject
Wellington Electricity	415	3b	Oppose (requesting new provision)	Seeks a clear and practical definition is added for "minor upgrading", or accept relief requested in submission point 415.9d	Reject
Wellington Electricity	415	7a	Oppose in part	Amend standard to include an exemption as follows: "Exemption: This standard does not apply to trenching works located within the road reserve or designated infrastructure corridors, where the works are associated with a network utility service and: a) The works are temporary in nature and reinstated within 10 working days; b) The works comply with the Electricity (Safety) Regulations 2010; c) The works are managed under a certified Construction Management Plan, Traffic Management Plan, and Earthworks Management Plan prepared in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region (Greater Wellington Regional Council, 2019); and d) The works do not result in longterm land disturbance or permanent modification to surface conditions beyond reinstatement to pre-existing conditions.", or accept the relief requested in submission point 415.7b	Reject
Wellington Electricity	415	7b	Oppose in part	Seeks that the area thresholds for trenching be significantly increased (e.g. to 1,000 m ² per 12 months or based on linear trench length), or accept the relief requested in submission point 415.7a	Reject
Wellington Electricity	415	9a	Oppose in part	Seeks that clause 1 of the standard is replaced with the following: "1. The replacement, realignment or relocation of a line, any pipe (excluding a gas transmission pipeline), support structure, conductor, cross arm, switch, transformer or ancillary structure must be within 10 metres of the existing alignment or location." or	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				accept relief requested in submission point 415.9d	
Wellington Electricity	415	9b	Support in part	Retain clauses 2 to 12 of the standard as notified	Reject
Wellington Electricity	415	9c	Oppose in part	Seeks that the standard is amended to add the following clauses: <u>"13. Permitted upgrading includes reconductoring of existing lines, pole strengthening, and the installation of new pole-mounted equipment such as switches or transformers, provided the works are visually integrated with the support structure and do not materially increase visual dominance.</u> <u>14. Upgrading works located within the road reserve are permitted where operational and safety requirements necessitate the changes, and where the effects are no greater than those of the existing infrastructure."</u> or accept relief requested in submission point 415.9d	Reject
Wellington Electricity	415	9d	Amend	Seeks reinstatement of the "minor upgrading" rule framework used in the Operative District Plan which permitted routine, low-impact infrastructure upgrades subject to effects-based thresholds and recognised engineering best practice	Reject
Wellington Water Limited	422	1	Support in part	Retain as notified	Accept in part
Wellington Water Limited	422	2	Oppose (requesting new provision)	Add a new objective that seeks to protect infrastructure (particularly three waters infrastructure) from effects of third parties	Reject
Wellington Water Limited	422	3	Support in part	Amend policy as follows: "Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including: 1. Enabling <u>maintenance and</u> enhancement of the quality of life and standard of living for people and communities, 2. Providing for public health, and safety, <u>and resilience</u> 3. Enabling businesses to function, 4. Enabling growth and development, 5. Enabling the transportation of freight, goods and people, 6. Providing a lifeline during emergencies, and 7. Enabling the effective, safe, secure and efficient transmission of electricity."	Accept in part
Wellington Water Limited	422	4	Oppose in part	Delete policy, or amend as follows: Provide for infrastructure while appropriately avoiding, remedying or mitigating Avoid, remedy, or mitigate the adverse effects of infrastructure, as far as practicable, including effects on: 1. Natural and physical resources,	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				2. Amenity values, 3. Natural hazard and climate change risks, 4. Identified features and values within any specified overlay, 5. Any other matter of national importance, 6. The safe and efficient operation of other infrastructure, and 7. The health, well-being and safety of people and communities.	
Wellington Water Limited	422	5	Oppose in part	Amend policy as follows: "Provide for new or upgraded infrastructure in natural hazard overlays where: ... 3. Increases in natural hazard risk in identified high natural hazard overlays (<u>other than in High Flood Hazard Overlays</u>) are avoided."	Accept in part
Wellington Water Limited	422	8	Oppose in part	Amend policy as follows: "Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where: 1. There is a functional need or operational need for the infrastructure to be in that location; 2. Significant adverse effects on pedestrian amenity, comfort and safety, and visual amenity are avoided, 3. Other adverse effects are avoided, remedied, or mitigated, and 4. It is consistent with the urban design outcomes for the zone or precinct in which it is located.	Reject
Wellington Water Limited	422	9	Support in part	Seeks amendments to these rules to provide for upgrades that have the same effects as a repair or maintenance activities as a permitted activity. One option would be to include “minor upgrade” in INF-R2 where a minor upgrade has the same effect as maintenance or repair of three waters infrastructure.	Accept in part
Wellington Water Limited	422	10	Support in part	Seeks amendments to rule table to provide an exception for its activities in relation to the zoning-related restrictions for INF rules (refer to original submission)	Accept in part
Wellington Water Limited	422	11	Oppose in part	Amend activity statuses as in these rules as they apply to water assets as follows: - All NC activity status revised to DIS	Accept in part
Policy Planning team of the Hutt City Council	440	20	Oppose in part	Amend rule description as follows: “Upgrading of infrastructure, excluding transport network infrastructure, and gas transmission pipelines and transmission lines over 110kV”	Accept
Policy Planning team of the Hutt City Council	440	21	Oppose in part	Amend to replace “high hazard areas” with “high natural hazard overlays”.	Accept
Policy Planning team of the Hutt City Council	440	22	Oppose in part	Amend to replace references to ‘Stream Corridor’ and ‘Overland Flow Path’ with ‘High Flood Hazard Area’ and ‘Medium Flood Hazard Area’, respectively.	Accept
Policy Planning team of the Hutt City Council	440	23	Oppose in part	Amend to replace references to ‘Stream Corridor’ and ‘Overland Flow Path’ with ‘High Flood Hazard Area’ and ‘Medium Flood Hazard Area’, respectively.	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
KiwiRail Holdings Ltd	442	04	Support in part	Amend "means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, <u>but is not limited to</u> : a. traffic control signals and devices, or b. light poles, or c. post boxes, or d. landscaped gardens, artwork and sculptures, or e. bus stops and shelters, or f. telecommunication kiosks, or g. public toilets, or h. road or rail furniture, or i. micro-mobility lock-up facilities."	Accept in part
KiwiRail Holdings Ltd	442	07	Oppose (requesting new provision)	Add a definition for "Maintenance (Network Utilities)" as " <u>Means any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose.</u> "	Accept in part
KiwiRail Holdings Ltd	442	08	Other/Not stated	Unclear, submission is about a definition of "minor upgrading of network utilities" and supports such a definition "as proposed". No such definition is in the proposed plan. Possible submission seeks to add such a definition, see original for details (p5).	Reject
KiwiRail Holdings Ltd	442	09	Other/Not stated	Unclear, submission is about a definition of "network utility" and supports such a definition "as proposed". No such definition is in the proposed plan. Possible submission seeks to add such a definition, see original for details (p5).	Accept
KiwiRail Holdings Ltd	442	10	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	12	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	17	Support in part	Amend " ... h. the local authority wastewater and stormwater networks and systems, including treatment plants and storage and discharge facilities, and i. the Strategic Transport Network, <u>including rail corridors, core bus routes, strategic roads and regional cycling network</u> as identified in the Wellington Regional Land Transport Plan 2021. j. <u>Interisland Ferry Terminal, Wellington City bus terminal and Wellington Railway Station terminus</u> k. <u>Wellington International Airport</u> l. <u>Masterton Hood Aerodrome</u> m. <u>Paraparaumu Airport</u> n. <u>Commercial Port Areas within Wellington Harbour and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines</u> "	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
KiwiRail Holdings Ltd	442	20	Support in part	Amend "means all public the rail network, public roads, public pedestrian and cycling facilities, public transport and associated public infrastructure. It includes, <u>but is not limited to</u> : a. train stations, b. bus stops, c. bus shelters, and d. Park and Ride areas."	Reject
KiwiRail Holdings Ltd	442	21	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	22	Support	Retain as notified	Accept in part
KiwiRail Holdings Ltd	442	23	Other/Not stated	Retain as notified [possibly conditional? See original submission p7-8)]	Accept in part
KiwiRail Holdings Ltd	442	24	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	25	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	26	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	27	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	28	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	29	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	30	Support in part	Seeks to "Retain policies for new and upgraded infrastructure in overlays in the Infrastructure chapter."	Accept
KiwiRail Holdings Ltd	442	31	Support	Retain as notified	Accept in part
KiwiRail Holdings Ltd	442	32	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	33	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	34	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	35	Support in part	Seeks considerable amendments throughout this policy, including renaming by removing the word "adverse" from the title. See original submission (p10-12) for details.	Accept in part
KiwiRail Holdings Ltd	442	36	Support in part	Amend "Provide for upgrading and developing the transport network where, as far as practicable, it: 1. Supports the growth of active and public transport modes, 2. <u>Maintains or improves</u> Does not compromise the safety, efficiency, and resilience of the transport network, 3. Improves connectivity for and integration between all transport modes, including by: a. Providing and enhancing active transport connections to existing active transport and public transport networks, b. Allocating adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles and on-street parking, and c. Avoiding permanent no-exit streets unless there is no practicable alternative due to site and	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				topographical constraints. 4. Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located."	
KiwiRail Holdings Ltd	442	37	Oppose in part	[inferred to be a reference to INF-P9] Amend "Provide for new or upgraded infrastructure in natural hazard overlays where: 1. There is a functional need or operational need for the infrastructure to be in that location, 2. Related buildings, structures or earthworks are of a scale and design that do not significantly increase Natural hazard risk in High and Medium Flood Hazard Overlays and other high natural hazard Medium Flood Hazard Overlays are avoided where possible, or otherwise reduced to the extent practicable, and 3. Increases in natural hazard risk in identified high natural hazard overlays are avoided"	Accept in part
KiwiRail Holdings Ltd	442	39	Support	Retain as notified	Accept in part
KiwiRail Holdings Ltd	442	40	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	41	Support	[inferred to be a reference to INF-R10] Retain as notified	Accept
KiwiRail Holdings Ltd	442	42	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	43	Support	Retain as notified	Accept
KiwiRail Holdings Ltd	442	44	Oppose in part	For the columns "Where no other columns in this table apply", "Active Street Frontage Overlay", "Heritage area or site containing heritage building or heritage structure", "Category 1 SASM", and "High Hazard Area": Change RDIS status where standards complied with to PER Change DIS status where standards not complied with to RDIS Also seeks to "Please check the appropriateness of the other columns + layouting."	Accept in part
KiwiRail Holdings Ltd	442	46	Multiple	Seeks a condition that "for support structures located within 10m of a residential zone, for land within the rail corridor, ... these support structures are put in place by KiwiRail or its contractors." [inferred], and Amend " 1. The support structure must not be located within a riparian margin or coastal margin, except where located on a bridge or other structure or within the road reserve <u>or rail corridor</u> . 2. <u>Any part of an aboveground building or structure is setback at least 5m from the rail corridor designation boundary KRH-01, KRH-02 and KRH-03.</u> 3. The support structure must not be located within 10m of a side or rear boundary that adjoins a residential zone, except:	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				a. Where it does not exceed 5m in height, or b. Where it is located in road reserve or the rail corridor, <u>subject to compliance also being achieved with INFS8(2).</u> Matters of discretion if the standard is breached: 1. Visual effects ... 5. <u>Impact on the safe and efficient operation of the railway network.</u> 6. <u>The outcome of any consultation with KiwiRail in regard to any building or structure within 5m of the railway corridor."</u>	
KiwiRail Holdings Ltd	442	47	Oppose in part	Amend "<u>1. Any part of a building or structure is setback at least 5m from the rail corridor designation boundary KRH-01, KRH-02 and KRH-03.</u> 2. 1. Where located on a site ... 3. 2. Where not located on a site Matters of discretion if the standard is breached: 1. Visual effects ... 6. <u>Impact on the safe and efficient operation of the railway network.</u> 7. <u>The outcome of any consultation with KiwiRail in regard to any building or structure within 5m of the railway corridor."</u>	Reject
KiwiRail Holdings Ltd	442	48	Support in part	Amend matters of discretion " 4. <u>Methods for</u> The retention of silt and sediment on the site and the control of dust. 5. <u>Any</u> The staging of earthworks. 6. The total area of exposed soils at any point in time. 7. <u>Any</u> The effect of the earthworks on the identified coastal natural character values in the area. ... 10. <u>Any</u> The effect of earthworks on the natural character of the coastal or riparian margin. 11. Whether there is any change to natural hazard risk <u>and whether risks have been minimised to the extent practicable.</u> 12. <u>The functional need and operational need of, and benefits derived from earthworks, including the potential impact on the levels of service, operational efficiency or health and safety if the work is not undertaken."</u>	Accept in part
KiwiRail Holdings Ltd	442	50	Support in part	Delete body of PINF-O1 and replace with "<u>The safety, maintenance, operation, upgrade or development of infrastructure is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects."</u>	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
KiwiRail Holdings Ltd	442	52	Multiple	Seeks that "clauses (1) and (2) which relate to avoiding development in particular locations, be merged into a more general provision identifying the need for setbacks from electrical, gas and rail infrastructure", and Amend "Regionally significant infrastructure is protected from incompatible new subdivision, use and development, <u>including the potential for reverse sensitivity effects</u> by: 1. Avoiding the location of activities sensitive to hazardous substance risk within a defined risk management overlay. 2. Avoiding activities sensitive to the National Grid, and controlling buildings, structures and earthworks within a defined National Grid Yard. ... <u>6. Managing access to the rail corridor and the national and regional road network.</u> <u>7. Ensuring new development maintains the safe and efficient operation of railway level crossings for all road users and the rail corridor</u> <u>8. Managing new activities and development through setbacks from existing electricity supply, gas supply and rail infrastructure"</u>	Accept in part
KiwiRail Holdings Ltd	442	54	Oppose (requesting new provision)	Add a new policy "<u>Preventing adverse effects on Railway Corridor</u> <u>Require buildings and structures adjoining the rail designation to be setback to provide for the health and safety of adjacent communities and efficient infrastructure operation."</u>	Reject
KiwiRail Holdings Ltd	442	55	Oppose (requesting new provision)	Add a new rule: "<u>PINF-R5 Activities Adjacent the Rail Corridor</u> <u>All zones</u> <u>1. Activity Status: Permitted</u> <u>Where:</u> <u>a. Buildings and structures (including extensions) must be set back 5 meters from the rail designation boundary.</u> <u>2. Activity Status: Restricted discretionary</u> <u>Where:</u> <u>a. Compliance is not achieved with PINF-R5.1</u> <u>Matters of discretion are restricted to:</u> <u>a. The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail designation boundary.</u> <u>b. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance</u> <u>c. The outcome of any consultation with KiwiRail."</u>	Reject
KiwiRail Holdings Ltd	442	45a	Support	Retain as notified	Accept in part

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KiwiRail Holdings Ltd	442	45b	Support	Retain as notified	Accept in part
KiwiRail Holdings Ltd	442	51a	Oppose (requesting new provision)	Add a new untitled objective " <u>Ensure adverse reverse sensitivity, health and wellbeing effects arising from the development of noise sensitive activities adjacent to the railway and highway network are appropriately avoided or mitigated.</u> "	Reject
KiwiRail Holdings Ltd	442	51b	Oppose (requesting new provision)	Add a new untitled objective " <u>Protect communities and infrastructure by mitigating:</u> <u>a. the adverse health and safety impacts associated with accessing the rail corridor; and</u> <u>b. risk of disruptions to the safe and efficient operation of regionally significant rail infrastructure.</u> "	Reject
Winstone Aggregates	444	7	Support	Retain with no changes as notified.	Accept in part
Winstone Aggregates	444	8	Amend	Amend INFSD-O3 as follows: <u>Infrastructure of national and regional significance, including those services that enable ongoing operation and maintenance, is supported and protected.</u>	Accept in part
Winstone Aggregates	444	9	Oppose (requesting new provision)	Add new INFSD-O7 objective as follows: <u>As a regionally significant source of aggregate, activities in the Quarry Zone are recognised for the benefit they provide in the delivery in infrastructure, and their ongoing operation and provided for.</u>	Accept in part
Wellington Regional Council	452	9	Amend	Add a new definition as follows: <u>Maintain/maintenance and repair: Means any work or activity necessary including replacement or renewal where the effects remain the same or similar in character, intensity and scale, to continue the operation and/or functioning of the existing structure or infrastructure or renewable electricity generation activities or electricity transmission activities. This does not include upgrading.</u>	Accept in part
Wellington Regional Council	452	17	Support in part	Amend as follows: Land use and development is integrated with the provision of infrastructure, including transport and three waters services, <u>green infrastructure</u> and open space.	Reject
Wellington Regional Council	452	25	Support	Retain as notified.	Accept in part
Wellington Regional Council	452	31	Support in part	Amend bullet point as follows: • Green infrastructure and flood mitigation works (Natural Hazards chapter),	Accept in part
Wellington Regional Council	452	33	Support in part	Amend as follows: INF-O1 Benefits of infrastructure and <u>green infrastructure</u> The national, regional and local benefits of infrastructure <u>and green infrastructure</u> are recognised and provided for.	Reject
Wellington Regional Council	452	34	Support in part	Amend as follows: Enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of, subdivision, use, and development-, <u>prioritising the use of green infrastructure as far as practicable.</u>	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Wellington Regional Council	452	35	Support in part	Amend as follows: INF-P1: Recognise benefits of infrastructure <u>and green infrastructure</u>	Accept in part
Wellington Regional Council	452	36	Support in part	Amend as follows: INF-P2: Provide for infrastructure <u>and green infrastructure</u> 1. Enabling safe, resilient, effective, and efficient operation, maintenance, repair, minor upgrade, or decommissioning of infrastructure <u>and green infrastructure</u> 2. Providing for other upgrades to, and the development of new infrastructure <u>and green infrastructure</u> , and 3. Enabling investigation and monitoring activities associated with infrastructure <u>and green infrastructure</u> operations.	Reject
Wellington Regional Council	452	37	Support in part	Amend as follows: INF-P3: Planning and delivery of infrastructure <u>and green infrastructure</u> . Add reference to <u>green infrastructure</u> to each clause alongside reference to infrastructure	Reject
Wellington Regional Council	452	38	Amend	Add new policy as follows, or similar: INF-PX: Promote the use of green infrastructure. Promote and support the integration of green infrastructure <u>as part of subdivision, use and development to provide services for people and communities while improving ecosystem health, resilience and indigenous biodiversity.</u>	Reject
Wellington Regional Council	452	39	Support in part	Amend clause 3. as follows: Improves connectivity for and integration between all transport modes, including by: a. Providing and enhancing active transport connections to existing active transport and public transport networks, b. Allocating adequate space in the road corridor for walking, cycling, <u>public transport</u> infrastructure, streetlighting and street trees as well as vehicles (<u>including public transport vehicles</u>) and on-street parking (<u>where appropriate</u>), and c. Avoiding permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints.	Accept in part
Wellington Regional Council	452	40	Support	Retain as notified.	Accept in part
Waste Management NZ Limited	461	8	Support in part	Amend the definition of Infrastructure as follows: has the same meaning as in section 2 of the RMA (as set out below) <u>Includes</u> ... l. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166; <u>and</u> <u>m. landfills, cleanfills, managed fills and waste management facilities.</u>	Reject
Waste Management NZ Limited	461	9	Support in part	Amend the definition of Regionally Significant Infrastructure as follows: means regionally significant infrastructure including: h. authority wastewater and stormwater networks and systems, including treatment plants and storage and discharge facilities; <u>and</u>	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				i. the Strategic Transport Network as identified in the Wellington Regional Land Transport Plan 2021; j. <u>landfills, cleanfills and managed fills; and</u> k. <u>waste management facilities.</u>	
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	33	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	45	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	46	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	54	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	74	Support in part	Amend the definition of “regionally significant infrastructure” as follows: "means regionally significant infrastructure including: ... i. the Strategic Transport Network as identified in the Wellington Regional Land Transport Plan 2021. j. <u>Infrastructure associated with port related activities and adjacent land used in association with the movement of cargo and passengers including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.</u>	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	87	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	92	Support	Retain as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	93	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	94	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	95	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	96	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	97	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	98	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	99	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	100	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	101	Support	Retain as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	102	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	105	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	107	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	108	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	109	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	110	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	111	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	112	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	113	Support	Retain as notified	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	114	Support	Retain as notified	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	115	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	117	Support in part	Amend the Protection of Infrastructure chapter as follows: "Adverse effects from Land use and development can adversely affect the operation and development of infrastructure and regionally significant infrastructure and can thereby impact the successful functioning of the city. This includes direct adverse effects from buildings and structures which have potential to obstruct access to infrastructure as well as reverse sensitivity effects, where an activity sensitive to the effects of infrastructure are established nearby, leading to constraints and additional costs for the operation or development of the infrastructure. This chapter includes provisions which are intended to protect the Gas Transmission Network and the National Grid from adverse effects arising from land use and development. Other chapters of the District Plan also play a role in managing adverse effects on infrastructure. In particular: - The Earthworks chapter, which controls earthworks near gas transmission infrastructure and the National Grid, - The Hazardous Substances chapter, which includes provisions to protect gas and regionally significant petroleum infrastructure, including the Hutt City fuel transmission pipeline, - The Noise chapter, which includes provisions to control activities sensitive to noise near state highways and rail corridors, and - The Subdivision chapter, which controls subdivision near gas transmission infrastructure and the National Grid."	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	118	Support in part	Amend PINF-O1 as follows: "PINF-O1 Adverse effects on regionally significant infrastructure and other infrastructure The adverse effects of subdivision, use, and development do not compromise the operation and development of infrastructure or regionally significant infrastructure."	Accept in part
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	119	Support in part	Amend PINF-P1 as follows: "PINF-P1 Protecting regionally significant infrastructure Regionally significant infrastructure is protected from incompatible new subdivision, use and development by: 1. Avoiding the location of activities sensitive to hazardous substance risk within the Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay, a defined risk	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				management overlay: 2. Avoiding activities sensitive to the National Grid, and controlling buildings, structures and earthworks within a defined National Grid Yard. 3. Controlling subdivision within a defined National Grid Subdivision Corridor. 4. Controlling subdivision, buildings, structures, earthworks and activities sensitive to gas transmission infrastructure within a defined Gas Transmission Pipeline Corridor Controlling noise sensitive activities within a defined Highway and Railway Noise Overlay."	
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	120	Support in part	Amend the Rules overview as follows: "Rules This chapter includes provisions for the protection of infrastructure from the adverse effects of land use and development. The rules of this chapter address: ... • Provisions controlling activities sensitive to hazardous substance risks within the <u>Hutt City fuel transmission pipeline corridor and Hazardous Substances Risk Management Overlay risk management overlay or within 250m of an existing significant hazardous facility</u> (located in the Hazardous Substances chapter. The facilities protected by these provisions include gas and which contains provisions protecting existing significant hazardous facilities and associated petroleum infrastructure), or • Provisions controlling earthworks within the National Grid Yard, or within the Gas Transmission Pipeline Corridor (located in the Earthworks chapter)."	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	106a	Support in part	Amend INF-R3 as follows: "INF-R3 Upgrading of infrastructure, excluding transport network infrastructure, and gas and transmission pipelines and electricity conductors over 110kV"	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	106b	Support in part	Amend the rule table so the activity status is restricted discretionary district-wide (see original submission for how the table would be edited).	Accept
Clarus	474	1	Support	Retain definition as notified	Accept
Clarus	474	2	Support	Retain definition as notified	Accept
Clarus	474	4	Support	Retain definition as notified	Accept
Clarus	474	5	Support	Retain definition as notified	Accept
Clarus	474	6	Support	Retain definition as notified	Accept in part
Clarus	474	10	Support	Retain definition as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Clarus	474	11	Support in part	Amend objective as follows: "Infrastructure of national and regional significance is supported and protected, <u>including extensions of existing and establishment of new infrastructure of national and regional significance.</u> "	Reject
Clarus	474	12	Support in part	Retain as notified (conditional - refer to original submission)	Accept in part
Clarus	474	13	Support	Retain objective as notified	Accept
Clarus	474	14	Support	Retain objective as notified	Accept
Clarus	474	15	Support	Retain objective as notified	Accept
Clarus	474	16	Support in part	Amend policy as follows: "Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including: ... 7. Enabling the effective, safe, secure and efficient transmission of electricity, <u>gas and liquid fuels.</u> "	Reject
Clarus	474	17	Support	Retain policy as notified	Accept
Clarus	474	18	Support	Retain policy as notified	Accept
Clarus	474	19	Support in part	Amend policy as follows: "Provide flexibility to adopt new technologies for infrastructure that: ... 3. Facilitate a transition to renewable electricity <u>and other renewable energy sources</u> ..."	Accept in part
Clarus	474	20	Support	Retain policy as notified	Accept
Clarus	474	21	Support	Retain policy as notified	Accept in part
Clarus	474	22	Support	Retain policy as notified	Accept in part
Clarus	474	23	Support	Retain rule as notified	Accept in part
Clarus	474	25	Support	Retain rule as notified	Accept
Clarus	474	26	Support in part	Seeks that a permitted activity status applies to upgrades of pipelines in all locations, including overlays, subject to compliance with standards	Accept
Clarus	474	28	Oppose	Amend activity status as follows: "Where no other columns in this table apply: DIS -RDIS" "High Natural Hazard Overlay: NC -DIS"	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				and include the following matters of discretion: <u>"Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u> <u>• Visual effects</u> <u>• Effects of earthworks including sediment runoff, dust and visual effects</u> <u>• Effects on health and safety</u> <u>• Natural hazard effects– coastal hazards, flood hazards, land stability and earthquake</u> <u>• Ecological effects</u> <u>• Effects on vehicular access and public access"</u>	
Clarus	474	29	Support	Retain rule as notified	Accept
Clarus	474	30	Support	Retain standard as notified	Accept in part
Clarus	474	31	Support	Retain standard as notified	Accept
Clarus	474	32	Support	Retain standard as notified	Accept in part
Clarus	474	33	Support	Retain standard as notified	Accept
Clarus	474	34	Support	Retain standard as notified	Accept in part
Clarus	474	35	Support	Retain standard as notified	Accept in part
Clarus	474	36	Support	Retain standard as notified	Accept
Clarus	474	37	Support	Retain standard as notified	Accept
Clarus	474	38	Support	Retain standard as notified	Accept in part
Clarus	474	39	Support	Retain standard as notified	Accept in part
Clarus	474	40	Support	Retain standard as notified	Accept
Clarus	474	42	Support in part	Retain as notified (conditional - refer to original submission)	Accept in part
Clarus	474	43	Support in part	Seeks that the chapter's scope (objectives, policies and rules) are extended to include regionally significant infrastructure in general	Reject
Clarus	474	44	Support	Retain objective as notified	Accept in part
Clarus	474	45	Support	Retain policy as notified	Accept in part
Clarus	474	46	Support	Retain policy as notified	Accept
Clarus	474	47	Support	Retain rule as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Clarus	474	48	Support	Retain rule as notified	Accept in part
Clarus	474	76	Oppose in part	Seeks that the word "informational" used in relation to the Gas Transmission Pipeline Corridor in the maps is replaced with words to the effect of: <u>"The exact location of the corridor cannot be mapped with full accuracy. Provisions which reference the corridor are to be interpreted in relation to the actual pipeline location as determined on site."</u>	Reject
Clarus	474	24a	Neutral	Amend rule description as follows: <u>"Upgrading of infrastructure, excluding...gas and transmission pipelines and electrical transmission lines over 110kV"</u>	Accept
Clarus	474	24b	Neutral	Seeks that the cross-reference to INF-S2 in the rule uses the correct name of the standard	Accept
Clarus	474	27a	Support in part	Amend the rule description as follows: <u>"Upgrading of gas transmission pipelines, including ancillary equipment, structures and buildings"</u>	Accept
Clarus	474	27b	Support in part	Amend the rule to include "INF-S14 (Buildings and structures, other than cabinets or support structures)" in the list of applicable standards	Accept
Clarus	474	27c	Oppose (requesting new provision)	Seeks that the following is included either within the definition of "upgrading", as a footnote to INF-R15, or as a new INF standard: <u>"Within the gas transmission pipeline corridor:</u> <u>• Addition of ancillary equipment and structures which support the operation of the existing pipeline (e.g. pumps and filters), or their replacement with similar equipment, which has a plan area of no more than 20m2</u> <u>• Minor alterations and additions to above ground structures and buildings associated with an existing gas transmission pipeline, which have a plan area no more than 20m2."</u>	Reject
Te Rūnanganui O Te Atiawa	503	22	Support	Retain as notified	Accept in part
Te Rūnanganui O Te Atiawa	503	27	Support	Retain as notified	Accept
Te Rūnanganui O Te Atiawa	503	28a	Support	Retain as notified	Accept in part
Transpower New Zealand Limited	504	1	Amend	Seeks that the Proposed District Plan is amended as appropriate to give effect to the National Policy Statement for Electricity Transmission	Accept in part
Transpower New Zealand Limited	504	2	Amend	Amend the definition as follows: "Means a: ...	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				4. marae/ papakāinga, or ..."	
Transpower New Zealand Limited	504	4	Support	Retain definition as notified	Accept
Transpower New Zealand Limited	504	6	Support	Retain definition as notified	Accept
Transpower New Zealand Limited	504	7	Amend	Amend the definition as follows: "means, as depicted in by the green arrow in the diagrams below, Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows: a. 32m of a 110kV transmission line on towers; and b. 37m of a 220kV transmission line; and c. 39m of a 350kV transmission line. " And, delete and replace diagrams included in the definition (refer to original submission for details)	Accept
Transpower New Zealand Limited	504	8	Amend	Amend the definition as follows: "means as depicted in <u>the area in orange in Diagram 1</u>:..." And, delete and replace diagram included in the definition (refer to original submission for details)	Accept
Transpower New Zealand Limited	504	9	Support	Retain definition as notified	Accept in part
Transpower New Zealand Limited	504	12	Other/Not stated	Seeks that the definition is amended to include substations. This could be as follows: "has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (as and includes the National Grid (as defined), set out below) a. means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but c. does not include an electricity substation." OR alternative relief - seeks that clause 7 of INF-P8 is amended to refer to substations	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Transpower New Zealand Limited	504	13	Neutral	Retain definition as notified	Accept
Transpower New Zealand Limited	504	14	Amend	Amend objective as follows: "Infrastructure of national and regional significance is supported and protected, <u>recognised and provided for.</u> "	Reject
Transpower New Zealand Limited	504	15	Oppose (requesting new provision)	Add a strategic objective for the National Grid as follows: " <u>INFSD-O7: National Grid</u> <u>The significance of the National Grid is recognised, and sustainable, secure and efficient electricity transmission is provided through and within the city.</u> "	Accept in part
Transpower New Zealand Limited	504	16	Oppose (requesting new provision)	Add a strategic objective for Effects on significant infrastructure as follows: " <u>INFSD-O8: Effects on Significant infrastructure</u> <u>Infrastructure of national and regional significance (which includes the National Grid), operates efficiently and safely and is protected from incompatible development and activities that may compromise the operation, maintenance and upgrade of significant infrastructure, and may create reverse sensitivity effects.</u> "	Reject
Transpower New Zealand Limited	504	19	Support	Retain introduction as notified	Accept in part
Transpower New Zealand Limited	504	20	Support	Retain "Other regulatory requirements" within introduction, as notified	Accept
Transpower New Zealand Limited	504	21	Amend	Amend as follows: "Relationship with other chapters The Infrastructure chapter includes provisions for operating, maintaining, repairing, developing, upgrading and decommissioning infrastructure. <u>As many infrastructure assets are linear and traverse many parts of the district, it is considered appropriate that a single set of rules, objectives and policies be provided that apply to Infrastructure across the City. As such, the Infrastructure chapter is stand alone as it applies to Infrastructure and Network Utility Operators. These infrastructure activities are excluded from most rules in other chapters of the District Plan (details on which other rules apply to infrastructure are given at the beginning of the rules section of this chapter), however objectives and policies in other chapters may be relevant. The exceptions to this are</u> The Infrastructure chapter does not include provisions which address the following:	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				• Notable Trees (Notable Trees Chapter) • Historic Heritage (Historic Heritage Chapter) • Ecosystems and Indigenous Biodiversity (Ecosystems and Indigenous Biodiversity Chapter) ..."	
Transpower New Zealand Limited	504	22	Support	Retain objective as notified	Accept
Transpower New Zealand Limited	504	23	Support	Retain objective as notified	Accept
Transpower New Zealand Limited	504	24	Support	Retain policy as notified	Accept in part
Transpower New Zealand Limited	504	25	Support	Retain policy as notified	Accept
Transpower New Zealand Limited	504	26	Support	Retain policy as notified	Accept
Transpower New Zealand Limited	504	27	Support	Retain policy as notified	Accept in part
Transpower New Zealand Limited	504	28	Support	Retain policy as notified	Accept
Transpower New Zealand Limited	504	29	Amend	Amend policy as follows: "When considering the adverse effects of infrastructure on the environment, have regard to the following: ... 2. Recognising that <u>subject to operational constraints</u>, co-location of infrastructure, shared use of infrastructure corridors and undergrounding of infrastructure provide opportunities for avoiding and minimising adverse effects, ... 4. Where adverse effects cannot be avoided or minimised, then the extent to which those adverse effects can be remedied, mitigated or offset, <u>and</u> 5. Anticipated outcomes for the receiving environment and the degree to which past modifications have compromised the achievement of those outcomes, and 6. Where located in a specified overlay, the degree to which the identified features and values of locations in the overlay, or site or area of significance will be protected from adverse effects and preserved, including with consideration to whether adverse effects on these values and features are avoided due to being: a. No more than minor or transitory, or b. Remedied, mitigated or offset. The benefits derived from the infrastructure at a local, regional and national scale."	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Transpower New Zealand Limited	504	30	Amend	Amend to replace the text of the policy in its entirety - refer to original submission for full details of the requested relief	Accept in part
Transpower New Zealand Limited	504	31	Support	Retain policy as notified	Accept in part
Transpower New Zealand Limited	504	36	Amend	Amend rules introduction as follows: "Operating, maintaining, repairing, upgrading, developing and decommissioning of infrastructure is excluded from all provisions (<u>including rules</u>) in area-specific and other district-wide chapter, except for: a. Provisions for infrastructure activities which involve additions, alterations, relocation, or demolition of heritage buildings, heritage structures, or contributing buildings in heritage areas (located in the Historical Heritage chapter); ..."	Accept in part
Transpower New Zealand Limited	504	38	Amend	Seeks that the rule is amended to clarify how it applies to new underground structures when it relates to the existing assets.	Accept
Transpower New Zealand Limited	504	39	Oppose	Delete rule	Accept in part
Transpower New Zealand Limited	504	40	Amend	Seeks that the rule is amended to make the default activity status discretionary at worst	Accept
Transpower New Zealand Limited	504	41	Amend	Seeks that the rule is amended to make the default activity status discretionary at worst	Accept in part
Transpower New Zealand Limited	504	42	Support	Retain as notified	Accept in part
Transpower New Zealand Limited	504	43	Oppose	Delete standard	Reject
Transpower New Zealand Limited	504	44	Support in part	Amend introduction as follows: "Adverse effects from land use and development can adversely affect the operation and development of infrastructure and can thereby impact the successful functioning of the city <u>and beyond</u> ..."	Accept
Transpower New Zealand Limited	504	45	Support	Retain objective as notified	Accept in part
Transpower New Zealand Limited	504	46	Other/Not stated	Retain policy as notified	Accept
Transpower New Zealand Limited	504	47	Support	Retain the rules introduction as notified	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Transpower New Zealand Limited	504	48	Amend	Amend clause (2) of the rule as follows: "Activity status: Non-complying Where: a. Compliance is not achieved with PINF-R3.1. <u>or</u> b. Any change in land use to an activity sensitive to the National Grid."	Reject
Transpower New Zealand Limited	504	49	Amend	Amend rule as follows: "1. Activity status: Permitted Where: a. The building or structure is for one of the following: i. For the purpose of network utility operations (<u>as defined in section 166 of the RMA</u>) <u>or any part of electricity generation that connects to the National Grid, or</u> ... 2. Activity status: Non-complying Where: a. Compliance is not achieved with PINF-R4.1; <u>or</u> b. Establishing activities sensitive to the National Grid in an existing building or a new building that involves an increase in the building height or footprint, or within a new building; <u>or</u> c. Wintering barns, Commercial greenhouses, Immoveable protective canopies, Produce packing facilities, Milking sheds; <u>or</u> d. Buildings or structures for the handling or storage of Class 1-4 hazardous substances with explosive or flammable intrinsic properties (except that this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities); <u>or</u> e. Any building or structure not otherwise provided for. ..."	Reject
Transpower New Zealand Limited	504	50	Amend	Amend clause 3 of the standard as follows: "3. All other buildings and structures must be setback a minimum 12m from the outer visible edge of a foundation of a National Grid support structure., <u>except where it is:</u> i. is a network utility or any part of electricity infrastructure that connects to the National Grid; <u>or</u> ii. a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34: 2001."	Accept
Transpower New Zealand Limited	504	100a	Support in part	Delete map layer (refer to submission point 504.100c, for additional relief)	Reject
Transpower New Zealand Limited	504	100b	Support in part	Delete map layer (refer to submission point 504.100c, for additional relief)	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
Transpower New Zealand Limited	504	100c	Oppose (requesting new provision)	Add a new informational map layer "National Grid lines", which: - maps the centreline only of National Grid lines, and - is coloured to be easy to detect and identify	Reject
Transpower New Zealand Limited	504	37a	Neutral	Seeks that the rule, to the extent that it does not apply to activities regulated by the National Environmental Standards for Electricity Transmission Activities (NESETA), is retained as notified	Accept
oOh Media Limited	517	1	Support	Retain the definition of ancillary transport network infrastructure as notified.	Accept in part
oOh Media Limited	517	2	Support	Retain INF-O1.	Accept
oOh Media Limited	517	3	Support	Retain INF-O2.	Accept
oOh Media Limited	517	4	Support	Retain INF-O3.	Accept
oOh Media Limited	517	5	Support	Retain INF-O4.	Accept
oOh Media Limited	517	6	Support	Retain INF-P1.	Accept in part
oOh Media Limited	517	7	Support	Retain INF-P2.	Accept
oOh Media Limited	517	8	Support	Retain INF-P3.	Accept
oOh Media Limited	517	9	Support	Retain INF-P4.	Accept in part
oOh Media Limited	517	10	Support	Retain INF-P5.	Accept
oOh Media Limited	517	11	Support	Retain INF-P6.	Accept in part
oOh Media Limited	517	12	Support	Retain INF-P7.	Accept in part
oOh Media Limited	517	13	Support	Retain INF-P9.	Accept in part
oOh Media Limited	517	15	Support	Retain INF-P14.	Accept in part
oOh Media Limited	517	16	Support in part	Amend INF-R6 to clarify that the rule is intended to apply to those signs that are for the purpose of operating, maintaining, and repairing, or developing, upgrading and decommissioning of infrastructure, as follows: "Signs associated with <u>for the purposes</u> of operating, maintaining, and repairing, or developing, upgrading and decommissioning of infrastructure, not including signs for the purpose of operating the transport network which are located in road reserve or rail corridor, <u>or third-party advertising signs.</u> "	Reject
oOh Media Limited	517	18	Oppose (requesting new provision)	Add new a new standard for third-party advertising signs and digital signs that are integrated into ancillary transport network, as follows: "INF-S13A: Signs, including third-party advertising signs and digital signs, that are integrated with ancillary transport network infrastructure.	Reject

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone, Industrial Zones, Sport and Active Recreation Zone, Hospital Zone, Marae Zone, Quarry Zone, Tertiary Education Zone 1. The sign must: a. Be no larger than the ancillary transport network infrastructure it is attached to and no greater than 1.6m². b. Not be located within 30m of a scheduled historic heritage place. c. Not flash, use video, moving images, moving text, or moving lights. d. Not play music or sound. e. Not provide advertising over multiple messages which are displayed across transitioning screens. f. Not be visible from a state highway or road with a speed limit of 80km/h or more. g. Not monitor or respond in any way to the people viewing or potentially viewing the sign. h. Display only a single static image at a time. i. Display images for a minimum of 30 seconds before transitioning to the next when visible from a road with a speed limit of 80km/h or more, and j. In any other case, display images for at least 8 seconds before transitioning to the next. 2. Transitions between images must take between 0.1 seconds and 0.5 seconds, without flashing, blinking, fading, dissolving, or wiping. 3. In the event of a malfunction, the sign must default to a blank screen. 4. Illuminated signs, including digital signs, must not have an average luminance exceeding: a. The limits in table LIGHT-TABLE3 during the restricted lighting period. b. 600cd/m² outside the restricted lighting period but after sunset or before sunrise. c. 5,000cd/m² between sunrise and sunset. 5. Illumination of the sign: a. Automatically adjusts to allow for ambient light levels. b. Does not alter during the display of any image."	
oOh Media Limited	517	19	Support	Retain INF-R22.	Accept
oOh Media Limited	517	20	Support	Retain INF-R23.	Accept
oOh Media Limited	517	21	Support	Retain INF-R24.	Accept in part
oOh Media Limited	517	22	Support	Retain INF-R25.	Accept
oOh Media Limited	517	23	Support	Retain INF-S14.	Accept
oOh Media Limited	517	24	Support	Retain INF-S15.	Accept in part
oOh Media Limited	517	25	Support	Retain INF-S16.	Accept in part
oOh Media Limited	517	26	Support	Retain INF-S17.	Accept in part
oOh Media Limited	517	27	Support	Retain INF-S18.	Accept

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
oOh Media Limited	517	17a	Support in part	No relief sought.	Accept in part
oOh Media Limited	517	17b	Oppose (requesting new provision)	Add a new rule that provides for third-party advertising signs and digital signs that are integrated into ancillary transport network infrastructure as a permitted activity. <u>"INF-R21A: Signs, including third-party advertising signs and digital signs, that are integrated with ancillary transport network infrastructure.</u> <u>City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone, Industrial Zones, Sport and Active Recreation Zone, Hospital Zone, Marae Zone, Quarry Zone, Tertiary Education Zone</u> <u>1. Activity status: Permitted</u> <u>Applicable standards:</u> <u>• INF-13A Signs, including third party advertising signs and digital signs that are integrated with ancillary transport network infrastructure.</u> <u>2. Activity status: Restricted discretionary</u> <u>Where:</u> <u>• Compliance is not achieved with INF-13A</u> <u>Matters of discretion are restricted to:</u> <u>1. The compatibility of the sign with the amenity and character of the surrounding area.</u> <u>2. The size, position, design, and setting of the sign.</u> <u>3. The standards for the relevant zone in the Light chapter.</u> <u>4. The safety and efficiency of the transport network.</u> <u>5. The matters in:</u> <u>a. SIGN-P1: Compatible signs,</u> <u>b. SIGN-P4: Digital and illuminated signs, and</u> <u>c. SIGN-P6: Impacts of signs on the transport network.</u> <u>6. Any positive effects of the digital sign that cannot be achieved with a sign other than a digital sign."</u>	Reject
Health New Zealand Te Whatu Ora (Health NZ)	518	6	Oppose	Amend to include the Hutt Hospital in the definition of "regionally significant infrastructure"	Reject
Health New Zealand Te Whatu Ora (Health NZ)	518	7	Support in part	Amend as follows: <u>"means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. Furthermore, in the case of Hospital and Health Care Activities at the Hutt Hospital operational need is evolving, constrained and often there are no viable alternatives."</u>	Reject
Health New Zealand Te Whatu Ora (Health NZ)	518	8	Amend	Seeks that Strategic Direction is amended to explicitly identify the important role of infrastructure – particularly Regionally Significant Infrastructure – like the Hutt Hospital plays in the success, prosperity, health, and wellbeing of the community in Lower Hutt (and the region). Further the amendments should provide strategic direction and context for the policy framework and methods in the PDP – particularly why it	Accept in part

Submitter	Sub #	SP #	Support / Oppose	Requested Relief	Recommendation
				is both necessary and appropriate to establish a generally permissive policy framework as it applies to the SPHZ and the Hutt Hospital.	
Health New Zealand Te Whatu Ora (Health NZ)	518	9	Oppose	Seeks that the Hutt Hospital should be included in the definition of Infrastructure	Reject
Health New Zealand Te Whatu Ora (Health NZ)	518	10	Other/Not stated	Seeks that plan provisions should explicitly enable Hutt Hospital and Health Care Activities at the Hutt Hospital with an appropriately permissive plan framework.	Reject

BEFORE THE HUTT CITY COUNCIL

Proposed District Plan Hearings Panel – Stream 6 – Transport

IN THE MATTER

of the Resource
Management Act
1991 (the Act)

AND

IN THE MATTER

of the Proposed
Lower Hutt District
Plan

**STATEMENT OF EVIDENCE OF LUKE BENNER FOR THE HUTT CITY
COUNCIL
TRAFFIC ENGINEERING**

24 August 2026

Introduction

1. My name is Luke Michael Benner. I am the director of LBC Traffic Engineers Limited, a traffic and transportation engineering consultancy based in Horowhenua & Kapiti. I hold a New Zealand Diploma in Engineering (Civil), and I am member of Engineering New Zealand as well as a member of the Transportation Group.
2. I have approximately 10 years' experience and my career to date has involved 5 years working within local government across the areas of traffic engineering, road safety and the planning and design of sustainable transport projects across walking, cycling and public transport. My most recent role was with Porirua City Council as a traffic and road safety engineer between 2019 and 2021.
3. I have worked within my own consultancy since 2019 (part-time) and full time since April 2021 providing traffic engineering services to public and private clients across the Wellington and Manawatu regions. My experience includes completing traffic impact assessments for private clients as well as assessing transport consents for Porirua and Hutt City Councils as well as Kāpiti Coast District Council. I have also carried out road safety audits and the planning and delivery of public transport projects.

Code of Conduct

4. Although this is a council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.

Involvement & Background

5. I have been engaged by Hutt City Council since 2023 to advise transportation matters associated with the proposed district plan including a technical review of the draft Transport chapter prior to being notified for submissions in 2025. In April 2026 I was re-engaged to provide traffic engineering advice through the Proposed District Plan (PDP) hearings process.

6. Council's reporting planner provided me with the s42A reports covering Transport and Infrastructure to undertake a review of his assessment of proposed transport provisions under dispute by submitters. With respect to the Infrastructure chapter, my review has focused on the transport network provisions and the assessment of only those provisions that are under dispute. I can confirm that in my review of the draft s42A reports, I have also reviewed those relevant submissions.

Scope of Evidence

7. My evidence primarily covers submissions made on the Transport chapter; however, it also covers standard INF-S15 of the infrastructure chapter as it relates to road design.
8. My evidence does not respond to or assess all submissions under each of the chapters, where I have instead focused on areas where I consider further assessment has been warranted to assist the panel.
9. It should be noted that where I have not commented on parts of the s42A reports, this can be taken by the panel I agree the planner's assessment and recommendations with no further assessment warranted.

Submissions on Transport Chapter

10. KiwiRail made a submission seeking some new objectives and policies to be included in the Transport chapter specifically requiring consideration of safety at railway level crossings through future development. I agree with council's planner that the outcomes sought through KiwiRail's submission will already be achieved through TR-01 and TR-P3.
11. Health NZ have made a submission seeking relief for future development of Hutt Hospital through the introduction of objectives, policies and rules that would exclude it from needing to comply with certain transport provisions of the district plan. I am of the view that development, regardless of strategic or regional importance should be assessed in a consistent manner and against the relevant provisions that apply at that time. This is particularly important regarding traffic effects and the cumulative nature of effects that larger developments

can generate. I agree with Council's planner that the Health NZ submission should be rejected.

- 12.** Z Energy and the Fuel Companies have made a submission with respect to rule TR-R2 in seeking that the standard TR-S4: classification of vehicle crossings and driveways is deleted. Retaining this standard is fundamental in assessing different types of land use activities and associated vehicle volumes which feeds through to different design characteristics that need to be met including visibility from an access at the road frontage. The submission by Z Energy and the Fuel Companies on this matter should be rejected.
- 13.** The New Zealand Transport Agency (NZTA) have made a submission seeking to add a clause under TR-R2 where new vehicle crossings are permitted only where not located within or accessed from a Limited Access Road. Access to Limited Access Roads (or State Highways) is already regulated by the NZTA via their policy planning manual so I agree with Council's planner that there is no need for the district plan to regulate this.
- 14.** FENZ have made a submission seeking to amend clause 2 of standard TR-S1 that for sites that only provide pedestrian and cycle access, a minimum clear width of 3m and a minimum height clearance of 4m is required. The standard as notified states that a legal width of 1.8m and a formed width 1.5m must be provided. It is not clear through the FENZ submission what supports the 3m requirement. I consider that for sites with no drive-on access, the proposed 1.5m formed width will still allow a fire hose to be deployed while providing a comfortable width to access the site by foot.
- 15.** Laura Skilton has made a submission that seeks to vary part of TR-S5, with respect the vehicle crossings and their width based on the classification of the frontage road. Hutt City Council already has its own process outside of the district plan that regulates vehicle crossing applications, which includes the use of standard drawings for different use scenarios (i.e. single or double width in a residential environment or heavy-duty type vehicle crossings typically installed in industrial or commercial environments). As is typical through the district plan an applicant will provide an assessment of the type and frequency of vehicle crossing movements and so from time to time an applicant may

seek to alter council's standard vehicle crossing dimensions (i.e. if trying to restrict or encourage a particular movement). This has been and will continue to be assessed on a case-by-case basis through the resource consent process, after which at engineering approval stage the consent holder is then still required to apply to council to install the vehicle crossing through the standard process. The submission by Laura Skilton on this matter should be rejected.

- 16.** Kāinga Ora have made a submission seeking the deletion of clauses 1 and 2 under TR-S5 with respect to restrictions around the number of vehicles crossings that can be sited along a property frontage based on different frontage lengths as well as the placement of vehicle crossings where a site has more than one frontage. This standard and its clauses as notified provides for sites to have more vehicle crossings than currently allowed for under the Operative District Plan, however to remove any controls around the number of crossings that could be constructed and their placement where a site has more than one frontage has the potential the generate adverse traffic effects related to conflicting sightlines, conflicting vehicle movements, poor pedestrian safety and accessibility along frontage public footpaths. This would also have the potential to introduce inconsistency over time as sites get consented. The relief sought through this submission should therefore be rejected.
- 17.** Hutt Cycle Network have made a submission that seeks for changes to be made to TR-S6 about vehicle crossing separation distances and design. In reviewing the submission, I understand the intent behind the requested changes to the clauses under this standard (to ensure safety for pathway users), however, to add additional measures beyond the speed bump 1m from the road boundary within the standard is likely to result in inconsistent approaches in addressing pedestrian safety where the required visibility splay cannot be achieved. The other requested change regarding the visibility splay requirements being greater than what has been notified (but only for accesses level 3 or 4) is currently applied through the standard RTS6 “guidelines for visibility at driveways”, whereas the standard applied in the PDP as notified aligns to off street parking standard AS/NZS2890.1. The later is the more recent standard and is widely used throughout Australia and New Zealand to manage visibility and therefore safety where private accesses cross footpaths. The application of this standard with respect

to visibility splays is assessed as being appropriate and consistent on a national level.

- 18.** FENZ made a submission under TR-S7, requesting a 10% grade for curved ramps in addition to a maximum of 20% for straight ramps. I agree with Council's planner that the 20% is already stipulated in the PDP so doesn't need to be separately stated. I do however agree with requested 10% maximum grade for curved ramps. In practice I have seen where this has become an issue particularly along driveways that are steep with sharp bends. Requiring a maximum 10% grade along these parts of driveways can be expected to assist with ground clearance and manoeuvrability of fire appliances particularly in situations where a driveway includes any switchbacks.
- 19.** Part of Laura Skilton's submission seeks an amendment to clause 1 under TR-S7 regarding the design vehicle and that this should be a 99th percentile vehicle instead of the 85th percentile vehicle. While I acknowledge that AS/NZS2890.1 has been under review, no formal direction has been released as to an update of this standard and the size of the design vehicles specified.
- 20.** I agree with the assessment provided by Council's planner in relation to the submissions on standards TR-S8 and TR-S10.
- 21.** Numerous submissions have been made with respect to the high trip generating thresholds of the PDP. I generally agree with the assessment by Council's planner, noting the proposed thresholds and matters of discretion will ensure a more consistent approach around how different activities are assessed and their effect on the transport network.
- 22.** I note a submission by NZTA seeks that table 8 as notified is deleted and replaced with a more simplistic version whereby any activity generating beyond 100 light vehicle movements per day and 8 heavy vehicle movements per week automatically triggers the high trip generating threshold. I consider reducing the threshold to this level would result in too many activities unreasonably triggering the threshold, where the level of traffic generation or more specifically peak hour traffic generation for certain land use activities would be a fraction of the daily volume. For example, a multi-unit residential development

of 10-12 units could be expected to generate ~100 to 120 vehicle movements per day, plus a rubbish truck once a week. Typically, the AM or PM peak hour traffic volumes are then used to form an assessment which in this scenario would be 10 to 12 vehicle movements. Within the context of a road carrying several hundred to several thousand vehicles per day, the ability to define and assess potential effects at this level is legible. In reality it is often the inability for an activity to meet one or more of the other transport standards that triggers the need for assessment. I consider that the thresholds as notified in table 8 are not too restrictive while ensuring activities that typically result in higher levels of traffic generation through the day or at concentrated times will be captured.

- 23.** Part of the submission made by Kāinga Ora seeks for the information requirements pertaining to the completion of integrated transport assessments to be more prescriptive including what level of detail should be provided and assessed within a report. I agree with council's planner that this request should be rejected, noting the rule already points to NZTA guidance and that should be sufficient.
- 24.** Several submissions have been received with respect to the proposed Highly Constrained Roads Overlay, noting that this overlay seeks to restrict further development where these roads cannot accommodate increased vehicle movements and are unlikely to be able to be upgraded to address existing deficiencies.
- 25.** The roads identified as being highly constrained all include similar characteristics including sections of road that can realistically only accommodate one direction of vehicle movement at a time with limited opportunities for safe passing to be provided as well as constrained forward visibility largely driven by constrained topography.
- 26.** Through hearing stream 3 I provided traffic engineering evidence with respect to a group of residents off lower Park Rd that had sought to retain the existing zoning of their properties instead of being upzoned. That submission included a request to include have lower Park Road included as a highly constrained road.
- 27.** In preparing my statement of evidence for hearing stream 3, I visited Park Road and walked along the footpath between Gainsborough

Grove and Grounsell Crescent, so I am familiar with the road environment. This road while undulating and steep provides for two lanes of vehicle traffic with kerbside parking possible and observed to the north of #11 Park Road.

- 28.** The presence of kerbside parking on one or both sides of Park Road intermittently reduces the road down to one lane in areas, noting that the presence of opposing vehicle crossings, intersections and “no stopping” restrictions increase the road width back to being suitable for two-way traffic. As Park Road is formed to a two-way width within the section in question, it is therefore entirely possible to mitigate effects on the safe and efficient operation of this road should further development occur, bringing with it potential for increased traffic volumes.
- 29.** I disagree with the submission by Laura Skilton seeking that the overlay is expanded to any road which has a kerb-to-kerb width of less than 11m. Many roads throughout Lower Hutt are at this width or narrower including many throughout Petone and the Western Hills with there being nothing to suggest that these roads are formed in such a way that that they are unlikely to support further development and increased traffic flows. The transport network contains roads and streets of different forms and that perform different functions. A road that is substantially less than 11m wide (i.e. Beach Street in Petone for example at ~8m) provides primarily a residential access function and a secondary through route function which can comfortably accommodate two-way traffic and kerbside parking. While its width is constrained with kerbside parking being popular, this undoubtedly results in a lower speed environment which is consistent with the surroundings. For a road such as this to be included as a highly constrained road would result in unnecessary assessment being required for new land use activities within that zone.

Submissions on Infrastructure Chapter (Transport)

- 30.** Several submissions have been received about aspects of INF-S15 relating to road design as well as street tree specifications. I consider that this standard is largely sufficient as notified, noting that it does not seek to alter the road design standards of NZS4404:2010 ensuring a consistent approach to road design with other district plans that adopt

the standards of NZS4404:2010. Where the standard does stipulate minimum requirements, these are consistent with what would be expected including the treatment of roads, footpaths and street lighting.

31. FENZ have made a submission seeking an amendment to clause 6 with respect to road design that a minimum height clearance of 4m is required, maximum grade of 20% for a straight ramp and 10% for curved ramps. These parameters apply to private accesses and driveways which are addressed under the transport chapter of the ODP.
32. While I understand the intent of what FENZ is seeking to achieve, the design of roads will be based on NZS4404:2010 which has its own parameters around grades etc. The submission made by FENZ on this matter is addressed in the transport chapter with detailed discussion included under point 17 of this statement of evidence regarding grades for driveways including a recommended change to adopt the maximum 10% grade for curved ramps.
33. I agree with the assessment of Council's planner regarding the other submissions raised in relation to standard INF-S15.

Conclusion

34. Based on my review of the s42A reports and relevant submissions, it is my assessment that the Transport chapter, subject to some minor changes and the Infrastructure chapter as it relates to road design will adequately regulate development throughout Lower Hutt.

Luke Michael Benner



24 August 2026